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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Rye]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951—CROP RYE LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The 1951 C. C. C. Grain Price Support Bulletin 1 (16 F. R. 1987), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951 was supplemented by 1951 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Rye (16 F. R. 3427), containing the specific requirements applicable to price support operations on rye of the 1951 crop. These regulations are further supplemented as follows:

§ 601.1261 *Support rates.* Basic support rates for rye placed under loan and for rye delivered under purchase agreement are as set forth in this section.

(a) *Basic support rates at designated terminal markets.* Basic support rates are established for rye grading No. 2 or better, or No. 3 or better on the factor of test weight only, but otherwise grading No. 2 or better, stored in approved warehouses at designated terminal markets as follows:

Terminal market:	Rate per bushel
Omaha, Nebr.	$1.48
Sioux City, Iowa	1.48
Kansas City, Mo.	1.50
St. Joseph, Mo.	1.50
Minneapolis, Minn.	1.51
Duluth, Minn.	1.51
Superior, Wis.	1.51
Galveston, Tex.	1.55
Houston, Tex.	1.55
New Orleans, La.	1.55
Chicago, Ill.	1.55
St. Louis, Mo.	1.55
Memphis, Tenn.	1.55
Milwaukee, Wis.	1.55
Portland, Oreg.	1.58
Seattle, Wash.	$1.58
San Francisco, Calif.	1.58
Los Angeles, Calif.	1.58
Astoria, Oreg.	1.58
Longview, Wash.	1.58
Tacoma, Wash.	1.58
Vancouver, Wash.	1.58
Albany, N. Y.	1.66
Philadelphia, Pa.	1.66
Baltimore, Md.	1.66
Norfolk, Va.	1.66

(b) *Basic county support rates.* The following basic county support rates are established for rye grading No. 2 or better, or No. 3 or better on the factor of test weight only, but otherwise grading No. 2 or better. Both farm-storage and country warehouse-storage loans will be made at the support rate established for the county in which the rye is stored.

	Rate per bushel for No. 2 or better
ALABAMA	
All counties	$1.39
ARIZONA	
All counties	$1.33
ARKANSAS	
All counties	$1.28

CALIFORNIA

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Contra Costa	$1.46	Plumas	$1.30
Lassen	1.28	Sacramento	1.43
Los Angeles	1.45	Shasta	1.33
Madera	1.41	Sierra	1.29
Merced	1.43	Siskiyou	1.29
Modoc	1.26	Stanislaus	1.44

COLORADO

Adams	$1.20	Las Animas	$1.20
Archuleta	1.06	Lincoln	1.20
Baca	1.21	Logan	1.20
Boulder	1.20	Moffat	1.06
Cheyenne	1.21	Montrose	1.06
Denver	1.20	Morgan	1.20
Dolores	1.00	Phillips	1.22
Douglas	1.20	Pueblo	1.20
Elbert	1.20	Sedgwick	1.22
El Paso	1.20	Washington	1.20
Kiowa	1.21	Weld	1.20
Kit Carson	1.21	Yuma	1.21
Larimer	1.20		

DELAWARE	
All counties	$1.42
FLORIDA	
All counties	$1.47

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

GEORGIA

County	Rate per bushel for No. 2 or better
All counties	$1.47

IDAHO

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Bingham	$1.12	Oneida	$1.13
Cassia	1.15	Power	1.15
Kootenai	1.29	Shoshone	1.27
Lincoln	1.16	Washington	1.24

ILLINOIS

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Adams	$1.35	De Kalb	$1.39
Alexander	1.37	De Witt	1.37
Bond	1.38	Douglas	1.37
Boone	1.38	Du Page	1.40
Brown	1.35	Edgar	1.37
Bureau	1.37	Edwards	1.37
Calhoun	1.39	Effingham	1.37
Carroll	1.36	Fayette	1.37
Cass	1.37	Ford	1.37
Champaign	1.37	Franklin	1.37
Christian	1.37	Fulton	1.37
Clark	1.37	Gallatin	1.33
Clay	1.37	Greene	1.38
Clinton	1.39	Grundy	1.39
Coles	1.37	Hamilton	1.35
Cook	1.40	Hancock	1.34
Crawford	1.36	Hardin	1.33
Cumberland	1.37	Henderson	1.35

ILLINOIS—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Henry	$1.36	Moultrie	$1.37
Iroquois	1.38	Ogle	1.38
Jackson	1.37	Peoria	1.37
Jasper	1.37	Perry	1.37
Jefferson	1.37	Piatt	1.37
Jersey	1.39	Pike	1.36
Jo Daviess	1.36	Pope	1.35
Johnson	1.34	Pulaski	1.37
Kane	1.40	Putnam	1.37
Kankakee	1.40	Randolph	1.37
Kendall	1.39	Richland	1.33
Knox	1.36	Rock Island	1.35
Lake	1.40	Saint Clair	1.39
La Salle	1.38	Saline	1.35
Lawrence	1.36	Sangamon	1.37
Lee	1.37	Schuyler	1.36
Livingston	1.37	Scott	1.37
Logan	1.37	Shelby	1.37
McDonough	1.35	Stark	1.37
McHenry	1.39	Stephenson	1.36
McLean	1.37	Tazewell	1.37
Macon	1.37	Union	1.37
Macoupin	1.39	Vermilion	1.38
Madison	1.39	Wabash	1.36
Marion	1.37	Warren	1.35
Marshall	1.37	Washington	1.37
Mason	1.37	Wayne	1.35
Massac	1.36	White	1.34
Menard	1.37	Whiteside	1.36
Mercer	1.35	Will	1.40
Monroe	1.39	Williamson	1.37
Montgomery	1.38	Winnebago	1.37
Morgan	1.37	Woodford	1.37

INDIANA

Adams	$1.32	Madison	$1.33
Allen	1.32	Marion	1.33
Bartholomew	1.32	Marshall	1.35
Blackford	1.34	Martin	1.31
Boone	1.33	Miami	1.34
Brown	1.33	Monroe	1.34
Carroll	1.37	Montgomery	1.36
Cass	1.35	Morgan	1.36
Clark	1.34	Newton	1.39
Clay	1.35	Noble	1.33
Clinton	1.35	Ohio	1.31
Crawford	1.28	Orange	1.35
Daviess	1.32	Owen	1.36
Dearborn	1.32	Parke	1.33
Decatur	1.31	Perry	1.27
De Kalb	1.33	Pike	1.30
Delaware	1.32	Porter	1.39
Dubois	1.29	Posey	1.37
Elkhart	1.34	Pulaski	1.38
Fayette	1.32	Putnam	1.36
Floyd	1.32	Randolph	1.33
Fountain	1.33	Ripley	1.31
Franklin	1.33	Rush	1.32
Fulton	1.36	Saint Joseph	1.36
Gibson	1.35	Scott	1.32
Grant	1.33	Shelby	1.32
Greene	1.36	Spencer	1.27
Hamilton	1.34	Starke	1.38
Hancock	1.32	Steuben	1.32
Harrison	1.30	Sullivan	1.37
Hendricks	1.33	Switzerland	1.27
Henry	1.33	Tippecanoe	1.37
Howard	1.34	Tipton	1.33
Huntington	1.33	Union	1.33
Jackson	1.32	Vanderburgh	1.35
Jasper	1.39	Vermillion	1.33
Jay	1.33	Vigo	1.37
Jefferson	1.34	Wabash	1.34
Jennings	1.31	Warren	1.37
Johnson	1.36	Warrick	1.28
Knox	1.35	Washington	1.35
Kosciusko	1.34	Wayne	1.32
Lagrange	1.33	Wells	1.32
Lake	1.39	White	1.38
La Porte	1.38	Whitley	1.34
Lawrence	1.34		

IOWA

Adair	$1.30	Appanoose	$1.32
Adams	1.30	Audubon	1.31
Allamakee	1.31	Benton	1.32

Iowa—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Black Hawk	$1.31	Keokuk	$1.31
Boone	1.29	Kossuth	1.30
Bremer	1.30	Lee	1.33
Buchanan	1.32	Linn	1.33
Buena Vista	1.29	Louisa	1.33
Butler	1.30	Lucas	1.30
Calhoun	1.29	Lyon	1.28
Carroll	1.31	Madison	1.29
Cass	1.31	Mahaska	1.31
Cedar	1.34	Marion	1.30
Cerro Gordo	1.31	Marshall	1.30
Cherokee	1.29	Mills	1.34
Chickasaw	1.30	Mitchell	1.31
Clarke	1.30	Monona	1.32
Clay	1.30	Monroe	1.31
Clayton	1.32	Montgomery	1.33
Clinton	1.35	Muscatine	1.34
Crawford	1.32	O'Brien	1.29
Dallas	1.29	Osceola	1.30
Davis	1.33	Page	1.32
Decatur	1.30	Palto Alto	1.30
Delaware	1.32	Plymouth	1.30
Des Moines	1.34	Pocahontas	1.29
Dickinson	1.30	Polk	1.30
Dubuque	1.33	Pottawattamie	1.33
Emmet	1.31	Poweshiek	1.31
Fayette	1.32	Ringgold	1.29
Floyd	1.31	Sac	1.29
Franklin	1.30	Scott	1.35
Fremont	1.33	Shelby	1.32
Greene	1.29	Sioux	1.29
Grundy	1.30	Story	1.30
Guthrie	1.30	Tama	1.31
Hamilton	1.29	Taylor	1.31
Hancock	1.31	Union	1.30
Hardin	1.30	Van Buren	1.33
Harrison	1.33	Wapello	1.31
Henry	1.33	Warren	1.30
Howard	1.31	Washington	1.32
Humboldt	1.30	Wayne	1.31
Ida	1.30	Webster	1.29
Iowa	1.32	Winnebago	1.31
Jackson	1.34	Winneshiek	1.31
Jasper	1.30	Woodbury	1.30
Jefferson	1.32	Worth	1.31
Johnson	1.33	Wright	1.30
Jones	1.34		

Kansas

Anderson	$1.33	Lyon	$1.31
Cherokee	1.31	Marion	1.28
Cheyenne	1.22	Meade	1.24
Clay	1.30	Morris	1.29
Cloud	1.29	Osage	1.32
Comanche	1.25	Osborne	1.28
Cowley	1.28	Ottawa	1.28
Crawford	1.32	Pawnee	1.27
Decatur	1.25	Pottawatomie	1.32
Dickinson	1.28	Pratt	1.27
Douglas	1.34	Rawlins	1.24
Edwards	1.27	Reno	1.28
Ellsworth	1.28	Riley	1.31
Finney	1.24	Rooks	1.27
Ford	1.25	Rush	1.27
Franklin	1.34	Russell	1.27
Graham	1.26	Saline	1.28
Grant	1.23	Sedgwick	1.28
Gray	1.25	Seward	1.23
Greenwood	1.31	Shawnee	1.32
Harvey	1.28	Sheridan	1.25
Jefferson	1.34	Stafford	1.27
Johnson	1.35	Stevens	1.23
Kiowa	1.27	Trego	1.26
Labette	1.31	Wabaunsee	1.31
Leavenworth	1.36	Wallace	1.23
Lincoln	1.28		

Kentucky

All counties $1.38

Louisiana

All counties $1.28

Maryland

All counties $1.42

Michigan

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Alcona	$1.25	Leelanau	$1.24
Alger	1.25	Lenawee	1.34
Allegan	1.32	Livingston	1.31
Alpena	1.25	Luce	1.22
Antrim	1.24	Mackinac	1.22
Arenac	1.25	Macomb	1.34
Baraga	1.27	Manistee	1.26
Barry	1.31	Marquette	1.26
Bay	1.30	Mason	1.28
Benzie	1.25	Mecosta	1.28
Berrien	1.34	Menominee	1.29
Branch	1.32	Midland	1.30
Calhoun	1.33	Missaukee	1.26
Cass	1.34	Monroe	1.35
Charlevoix	1.23	Montcalm	1.30
Cheboygan	1.23	Montmorency	1.23
Chippewa	1.22	Muskegon	1.30
Clare	1.28	Newaygo	1.29
Clinton	1.31	Oakland	1.33
Crawford	1.24	Oceana	1.28
Delta	1.27	Ogemaw	1.28
Eaton	1.31	Osceola	1.26
Emmet	1.23	Oscoda	1.25
Genesee	1.32	Otsego	1.24
Gladwin	1.28	Ottawa	1.31
Grand Traverse	1.25	Presque Isle	1.23
Gratiot	1.31	Roscommon	1.25
Hillsdale	1.32	Saginaw	1.31
Huron	1.30	Saint Clair	1.34
Ingham	1.31	Saint Joseph	1.33
Ionia	1.31	Sanilac	1.31
Iosco	1.25	Schoolcraft	1.23
Isabella	1.29	Shiawassee	1.31
Jackson	1.32	Tuscola	1.31
Kalamazoo	1.34	Van Buren	1.33
Kalkaska	1.25	Washtenaw	1.34
Kent	1.31	Wayne	1.35
Lake	1.27	Wexford	1.25
Lapeer	1.32		

Minnesota

Aitkin	$1.35	Marshall	$1.28
Anoka	1.37	Martin	1.32
Becker	1.30	Meeker	1.35
Beltrami	1.30	Mille Lacs	1.34
Benton	1.34	Morrison	1.33
Big Stone	1.31	Mower	1.33
Blue Earth	1.34	Murray	1.31
Brown	1.33	Nicollet	1.35
Carlton	1.36	Nobles	1.30
Carver	1.37	Norman	1.29
Cass	1.33	Olmsted	1.33
Chippewa	1.32	Otter Tail	1.31
Chisago	1.36	Pennington	1.29
Clay	1.30	Pine	1.34
Clearwater	1.30	Pipestone	1.31
Cottonwood	1.32	Polk	1.29
Crow Wing	1.33	Pope	1.33
Dakota	1.37	Red Lake	1.29
Dodge	1.34	Redwood	1.33
Douglas	1.32	Renville	1.34
Faribault	1.32	Rice	1.35
Fillmore	1.31	Rock	1.30
Freeborn	1.33	Roseau	1.27
Goodhue	1.35	Saint Louis	1.34
Grant	1.32	Scott	1.37
Hennepin	1.38	Sherburne	1.36
Houston	1.31	Sibley	1.35
Hubbard	1.31	Stearns	1.34
Isanti	1.35	Steele	1.34
Itasca	1.32	Stevens	1.32
Jackson	1.31	Swift	1.33
Kanabec	1.35	Todd	1.33
Kandiyohi	1.34	Traverse	1.31
Kittson	1.26	Wabasha	1.34
Koochiching	1.28	Wadena	1.32
Lac qui Parle	1.31	Waseca	1.34
Lake	1.36	Washington	1.37
Lake of the Woods	1.28	Watonwan	1.33
Le Sueur	1.35	Wilkin	1.30
Lincoln	1.31	Winona	1.33
Lyon	1.32	Wright	1.36
McLeod	1.35	Yellow Medicine	1.32
Mahnomen	1.29		

Mississippi

County	Rate per bushel for No. 2 or better
All counties	$1.39

Missouri

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Adair	$1.34	Moniteau	$1.34
Cass	1.35	Morgan	1.33
Cedar	1.31	Nodaway	1.32
Clark	1.34	Pettis	1.33
Cole	1.35	Pike	1.36
Cooper	1.34	Putnam	1.30
Dunklin	1.32	Saint Francois	1.37
Grundy	1.32	Saline	1.33
Knox	1.34	Schuyler	1.33
Linn	1.33	Scott	1.34
Macon	1.34	Worth	1.31
Maries	1.36		

Montana

Beaverhead	$1.09	Madison	$1.16
Big Horn	1.07	Meagher	1.16
Blaine	1.12	Mineral	1.20
Broadwater	1.16	Missoula	1.19
Carbon	1.14	Musselshell	1.14
Carter	1.16	Park	1.16
Cascade	1.16	Petroleum	1.16
Chouteau	1.16	Phillips	1.11
Custer	1.14	Pondera	1.16
Daniels	1.12	Powder River	1.15
Dawson	1.15	Powell	1.17
Deer Lodge	1.16	Prairie	1.15
Fallon	1.16	Ravalli	1.07
Fergus	1.16	Richland	1.16
Flathead	1.20	Roosevelt	1.16
Gallatin	1.16	Rosebud	1.12
Garfield	1.11	Sanders	1.22
Glacier	1.17	Sheridan	1.15
Golden Valley	1.16	Silver Bow	1.16
Granite	1.17	Stillwater	1.16
Hill	1.16	Sweet Grass	1.16
Jefferson	1.16	Teton	1.16
Judith Basin	1.16	Toole	1.16
Lake	1.20	Treasure	1.11
Lewis and Clark	1.16	Valley	1.12
Liberty	1.16	Wheatland	1.16
Lincoln	1.22	Wibaux	1.17
McCone	1.15	Yellowstone	1.14

Nebraska

Adams	$1.28	Gage	$1.31
Antelope	1.28	Garden	1.21
Arthur	1.22	Garfield	1.27
Banner	1.18	Gosper	1.26
Blaine	1.25	Grant	1.22
Boone	1.30	Greeley	1.29
Box Butte	1.21	Hall	1.29
Boyd	1.26	Hamilton	1.30
Brown	1.24	Harlan	1.23
Buffalo	1.28	Hayes	1.23
Burt	1.32	Hitchcock	1.23
Butler	1.32	Holt	1.27
Cass	1.33	Hooker	1.23
Cedar	1.28	Howard	1.28
Chase	1.22	Jefferson	1.30
Cherry	1.23	Johnson	1.31
Cheyenne	1.20	Kearney	1.27
Clay	1.28	Keith	1.21
Colfax	1.32	Keya Paha	1.25
Cuming	1.32	Kimball	1.20
Custer	1.26	Knox	1.27
Dakota	1.30	Lancaster	1.33
Dawes	1.19	Lincoln	1.24
Dawson	1.26	Logan	1.25
Deuel	1.21	Loup	1.27
Dixon	1.29	McPherson	1.24
Dodge	1.33	Madison	1.30
Douglas	1.34	Merrick	1.30
Dundy	1.21	Morrill	1.19
Fillmore	1.30	Nance	1.30
Franklin	1.27	Nemaha	1.31
Frontier	1.25	Nuckolls	1.28
Furnas	1.26	Otoe	1.32

NEBRASKA—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Pawnee	$1.31	Sheridan	$1.21
Perkins	1.22	Sherman	1.28
Phelps	1.27	Sioux	1.18
Pierce	1.29	Stanton	1.31
Platte	1.31	Thayer	1.29
Polk	1.30	Thomas	1.24
Red Willow	1.25	Thurston	1.32
Richardson	1.32	Valley	1.27
Rock	1.25	Washington	1.33
Saline	1.31	Wayne	1.29
Sarpy	1.34	Webster	1.27
Saunders	1.33	Wheeler	1.29
Scotts Bluff	1.18	York	1.30
Seward	1.32		

NEVADA

Elko	$1.14	Lander	$1.14
Eureka	1.14	Washoe	1.28
Humboldt	1.21		

NEW JERSEY

All counties	$1.42

NEW MEXICO

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Bernalillo	$1.14	McKinley	$0.97
Catron	1.01	Mora	1.08
Chaves	1.16	Quay	1.19
Colfax	1.13	Roosevelt	1.19
Curry	1.19	Sandoval	1.08
De Baca	1.17	San Juan	1.00
Eddy	1.15	San Miguel	1.09
Grant	.97	Santa Fe	1.07
Guadalupe	1.10	Sierra	1.05
Harding	1.09	Socorro	1.11
Hidalgo	1.03	Torrance	1.13
Lea	1.19	Union	1.13
Luna	.97	Valencia	1.05

NEW YORK

All counties	$1.43

NORTH CAROLINA

All counties	$1.47

NORTH DAKOTA

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Adams	$1.20	McLean	$1.23
Barnes	1.28	Mercer	1.21
Benson	1.25	Morton	1.22
Billings	1.20	Mountrail	1.21
Bottineau	1.21	Nelson	1.26
Bowman	1.19	Oliver	1.22
Burke	1.21	Pembina	1.25
Burleigh	1.24	Pierce	1.23
Cass	1.29	Ramsey	1.25
Cavalier	1.24	Ransom	1.28
Dickey	1.27	Renville	1.21
Divide	1.19	Richland	1.30
Dunn	1.20	Rolette	1.23
Eddy	1.26	Sargent	1.29
Emmons	1.24	Sheridan	1.24
Foster	1.26	Sioux	1.22
Golden Valley	1.18	Slope	1.20
Grand Forks	1.27	Stark	1.21
Grant	1.21	Steele	1.23
Griggs	1.27	Stutsman	1.27
Hettinger	1.21	Towner	1.24
Kidder	1.25	Traill	1.28
La Moure	1.26	Walsh	1.26
Logan	1.25	Ward	1.21
McHenry	1.23	Wells	1.25
McIntosh	1.24	Williams	1.20
McKenzie	1.18		

OHIO

Ashtabula	$1.39	Crawford	$1.36
Butler	1.34	Fayette	1.34
Clark	1.34	Hancock	1.36
Clermont	1.34	Huron	1.36
Clinton	1.34	Licking	1.36

OHIO—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Lorain	$1.37	Portage	$1.37
Lucas	1.36	Putnam	1.34
Mahoning	1.38	Richland	1.37
Miami	1.34	Sandusky	1.36
Montgomery	1.34	Seneca	1.36
Pickaway	1.35	Stark	1.37
Pike	1.34		

OKLAHOMA

Adair	$1.26	LeFlore	$1.22
Alfalfa	1.25	Lincoln	1.22
Atoka	1.20	Logan	1.23
Beaver	1.19	Love	1.17
Beckham	1.18	McClain	1.20
Blaine	1.20	McCurtain	1.17
Bryan	1.17	McIntosh	1.25
Caddo	1.19	Major	1.22
Canadian	1.20	Marshall	1.18
Carter	1.17	Mayes	1.28
Cherokee	1.26	Murray	1.18
Choctaw	1.17	Muskogee	1.25
Cimarron	1.17	Noble	1.25
Cleveland	1.20	Nowata	1.30
Coal	1.20	Okfuskee	1.23
Comanche	1.18	Oklahoma	1.21
Cotton	1.17	Okmulgee	1.25
Craig	1.30	Osage	1.27
Creek	1.25	Ottawa	1.29
Custer	1.19	Pawnee	1.25
Delaware	1.27	Payne	1.23
Dewey	1.19	Pittsburg	1.22
Ellis	1.19	Pontotoc	1.20
Garfield	1.25	Pottawatomie	1.20
Garvin	1.18	Pushmataha	1.19
Grady	1.19	Roger Mills	1.18
Grant	1.25	Rogers	1.28
Greer	1.17	Seminole	1.22
Harmon	1.17	Sequoyah	1.25
Harper	1.21	Stephens	1.18
Haskell	1.24	Texas	1.19
Hughes	1.22	Tillman	1.17
Jackson	1.17	Tulsa	1.28
Jefferson	1.17	Wagoner	1.27
Johnston	1.19	Washington	1.29
Kay	1.26	Washita	1.19
Kingfisher	1.22	Woods	1.25
Kiowa	1.18	Woodward	1.21
Latimer	1.22		

OREGON

Baker	$1.28	Lake	$1.22
Benton	1.41	Lane	1.40
Clackamas	1.44	Linn	1.41
Clatsop	1.41	Malheur	1.23
Columbia	1.43	Marion	1.43
Crook	1.36	Morrow	1.40
Deschutes	1.36	Multnomah	1.45
Douglas	1.35	Polk	1.42
Gilliam	1.41	Sherman	1.42
Grant	1.40	Umatilla	1.35
Harney	1.19	Union	1.29
Hood River	1.43	Wallowa	1.28
Jackson	1.30	Wasco	1.42
Jefferson	1.38	Washington	1.44
Josephine	1.31	Yamhill	1.43
Klamath	1.30		

PENNSYLVANIA

All counties	$1.42

SOUTH CAROLINA

All counties	$1.47

SOUTH DAKOTA

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Aurora	$1.25	Campbell	$1.25
Beadle	1.28	Charles Mix	1.26
Bennett	1.22	Clark	1.29
Bon Homme	1.27	Clay	1.30
Brookings	1.30	Codington	1.30
Brown	1.28	Corson	1.22
Brule	1.25	Custer	1.17
Buffalo	1.26	Davison	1.27
Butte	1.16	Day	1.29

SOUTH DAKOTA—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Deuel	$1.30	McPherson	$1.26
Dewey	1.22	Marshall	1.28
Douglas	1.26	Meade	1.18
Edmunds	1.27	Mellette	1.21
Fall River	1.18	Miner	1.29
Faulk	1.27	Minnehaha	1.29
Grant	1.30	Moody	1.30
Gregory	1.26	Pennington	1.18
Haakon	1.21	Perkins	1.20
Hamlin	1.30	Potter	1.25
Hand	1.27	Roberts	1.29
Hanson	1.28	Sanborn	1.28
Harding	1.20	Shannon	1.21
Hughes	1.25	Spink	1.28
Hutchinson	1.27	Stanley	1.23
Hyde	1.26	Sully	1.25
Jackson	1.20	Todd	1.24
Jerauld	1.27	Tripp	1.25
Jones	1.21	Turner	1.28
Kingsbury	1.29	Union	1.30
Lake	1.29	Walworth	1.25
Lawrence	1.16	Washabaugh	1.20
Lincoln	1.29	Yankton	1.29
Lyman	1.22	Ziebach	1.20
McCook	1.28		

TENNESSEE

All counties	$1.40

TEXAS

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Armstrong	$1.20	Jack	$1.23
Bailey	1.20	Jones	1.20
Bastrop	1.36	Kent	1.20
Borden	1.20	Kimble	1.24
Bosque	1.27	King	1.20
Brown	1.25	Lubbock	1.20
Callahan	1.22	McCulloch	1.25
Childress	1.20	Mason	1.25
Coleman	1.24	Maverick	1.17
Collingsworth	1.20	Mills	1.26
Concho	1.22	Mitchell	1.20
Coryell	1.29	Navarro	1.30
Cottle	1.20	Nolan	1.20
Dallam	1.17	Parmer	1.20
Dawson	1.20	Pecos	1.16
Dickens	1.20	Potter	1.20
Eastland	1.24	Randall	1.20
Erath	1.26	Real	1.22
Fisher	1.20	San Saba	1.27
Floyd	1.20	Scurry	1.20
Foard	1.20	Stephens	1.22
Gaines	1.20	Stonewall	1.20
Glasscock	1.20	Swisher	1.20
Grayson	1.25	Taylor	1.20
Hall	1.20	Terry	1.20
Hamilton	1.27	Tom Green	1.20
Hansford	1.18	Ward	1.17
Hardeman	1.20	Wheeler	1.20
Haskell	1.20	Wichita	1.20
Hockley	1.20	Wilbarger	1.20
Hood	1.26	Yoakum	1.20
Howard	1.20	Young	1.20
Hutchinson	1.18		

UTAH

Box Elder	$1.11	Sampete	$1.10
Duchesne	1.11	Tooele	1.11
Juab	1.11	Uintah	1.11
Millard	1.14		

VIRGINIA

All Counties	$1.42

WASHINGTON

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Adams	$1.32	Clark	$1.46
Asotin	1.31	Cowlitz	1.43
Benton	1.36	Douglas	1.30
Chelan	1.34	Ferry	1.26

WASHINGTON—Continued

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Franklin	$1.33	Okanogan	$1.30
Garfield	1.34	Pierce	1.43
Grant	1.31	Spokane	1.30
King	1.44	Stevens	1.29
Kittitas	1.37	Walla Walla	1.35
Klickitat	1.42	Whitman	1.30
Lincoln	1.31		

WEST VIRGINIA

All counties	$1.42

WISCONSIN

County	Rate per bushel for No. 2 or better	County	Rate per bushel for No. 2 or better
Adams	$1.33	Marathon	$1.32
Ashland	1.32	Marinette	1.31
Barron	1.33	Marquette	1.34
Bayfield	1.33	Milwaukee	1.39
Brown	1.34	Monroe	1.33
Buffalo	1.33	Oconto	1.32
Burnett	1.34	Oneida	1.30
Calumet	1.35	Outagamie	1.34
Chippewa	1.32	Ozaukee	1.36
Clark	1.31	Pepin	1.33
Columbia	1.34	Pierce	1.35
Crawford	1.32	Polk	1.35
Dane	1.36	Portage	1.33
Dodge	1.36	Price	1.31
Door	1.31	Racine	1.41
Douglas	1.36	Richland	1.33
Dunn	1.34	Rock	1.37
Eau Claire	1.33	Rusk	1.32
Florence	1.30	Saint Croix	1.36
Fond du Lac	1.36	Sauk	1.34
Forest	1.30	Sawyer	1.33
Grant	1.33	Shawano	1.33
Green	1.36	Sheboygan	1.36
Green Lake	1.35	Taylor	1.31
Iowa	1.34	Trempealeau	1.32
Iron	1.30	Vernon	1.32
Jackson	1.32	Vilas	1.28
Jefferson	1.36	Walworth	1.37
Juneau	1.34	Washburn	1.34
Kenosha	1.40	Washington	1.36
Kewaunee	1.32	Waukesha	1.37
La Crosse	1.32	Waupaca	1.33
Lafayette	1.35	Waushara	1.34
Langlade	1.31	Winnebago	1.34
Lincoln	1.30	Wood	1.33
Manitowoc	1.35		

WYOMING

Albany	$1.06	Natrona	$1.08
Big Horn	1.01	Niobrara	1.14
Campbell	1.12	Park	1.01
Carbon	1.04	Platte	1.15
Converse	1.11	Sheridan	1.09
Crook	1.14	Sublette	1.06
Fremont	1.02	Sweetwater	1.06
Goshen	1.18	Teton	1.01
Hot Springs	1.01	Uinta	1.06
Johnson	1.10	Washakie	1.01
Laramie	1.18	Weston	1.14
Lincoln	1.05		

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421)

Issued this 22d day of May 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-6054; Filed, May 24, 1951; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1061 (Alaska 51)-1, Supp. 1]

PART 704—SPECIAL AGRICULTURAL CONSERVATION PROGRAM; ALASKA

SUBPART—1951

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended, the 1951 Special Agricultural Conservation Program; Alaska, issued November 1, 1950 (15 F. R. 7430), is amended as follows:

Section 704.21 is amended by revising the second sentence to read as follows:

§ 704.21 *Practice 11: Clearing woodland for tillage.* * * * Payment will not be approved for clearing more than five acres on any farm during the 1951 program year, and approval will not be given for clearing in excess of 30 acres on any farm under all programs. * * *

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interprets or applies secs. 7-17, 49 Stat. 1148, as amended; 16 U. S. C. 590q-590c)

Done at Washington, D. C., this 22d day of May 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-6052; Filed, May 24, 1951; 8:51 a. m.]

[1026 (Burley and Flue-51)-1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS; 1951-52 MARKETING YEAR

GENERAL

FARM MARKETING QUOTAS AND MARKETING CARDS

MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES

RECORDS AND REPORTS

AUTHORITY: §§ 725.230 to 725.260 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply 52 Stat. 38, 47, 48, 65, 66, as amended; 7 U. S. C. 1301, 1313, 1314, 1372, 1373, 1374, 1375.

GENERAL

§ 725.230 *Basis and purpose.* Sections 725.230 to 725.260 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the issuance of marketing cards, the identification of tobacco, the collection and refund of penalties, and the records and reports incident thereto on the marketing of Burley and flue-cured tobacco during the 1951-52 marketing year. Prior to preparing §§ 725.230 to 725.260, public notice (16 F. R. 3588) of their formulation was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views and recommendations pertaining to §§ 725.230 to 725.260, which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 725.231 *Definitions.* As used in §§ 725.230 to 725.260, and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended.

(b) "Carry-over" tobacco means, with respect to a farm, tobacco produced prior to the beginning of the calendar year 1951, which has not been marketed or which has not been disposed of under § 725.243.

(c) Committees: (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the county.

(3) "State committee" means the group of persons designated as the State committee of the Production and Mar-

keting Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(d) "Dealer" or "buyer" means a person who engages to any extent in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(e) "Director" means Director or Acting Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture.

(f) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(g) "Field assistant" means any duly authorized employee of the United States Department of Agriculture, and any duly authorized employee of a county committee whose duties involve the preparation and handling of records and reports pertaining to tobacco marketing quotas.

(h) "Floor sweepings" means scraps, leaves, or bundles of tobacco, generally of inferior quality, which accumulate on the warehouse floor and which not being subject to identification with any particular lot of tobacco are gathered up by the warehouseman for sale. Floor sweepings shall not include tobacco defined as "pick-ups".

(i) "Leaf account tobacco" means all tobacco purchased by or for a warehouseman and "leaf account" shall include the records required to be kept and copies of the reports required to be made under §§ 725.230 to 725.260 relating to tobacco purchased by or for a warehouseman and resales of such tobacco.

(j) "Market" means the disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. "Marketing" and "marketed" shall have corresponding meanings to the term "market".

(k) "Nonwarehouse sale" means any first marketing of farm tobacco other than by sale at public auction through a warehouse in the regular course of business.

(l) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(m) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(n) "Pick-ups" means (1) any tobacco sorted and reclaimed from leaves or bundles which have fallen to the warehouse floor in the usual course of business, or (2) any tobacco previously purchased at auction but not delivered to the buyer because of rejection by the buyer, lost ticket, or any other reason, and which is not turned back to a dealer other than the warehouseman and shall include tobacco delivered to the buyer but returned by the buyer to the warehouseman, and which is not turned back to a dealer other than the warehouseman.

(o) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm or in the proceeds thereof.

(p) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(q) "Resale" means the disposition by sale, barter, exchange, or gift inter vivos, of tobacco which has been marketed previously.

(r) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(s) "Scrap tobacco" means the residue which accumulates in the course of preparing flue-cured tobacco for market, consisting chiefly of portions of tobacco leaves and leaves of poor quality.

(t) "Secretary" means the Secretary or Acting Secretary of Agriculture of the United States.

(u) "Suspended sale" means any first marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the sale day on which such marketing occurred.

(v) "Tobacco" means Burley tobacco, type 31, or flue-cured tobacco types 11, 12, 13 and 14, as classified in Service and Regulatory Announcement No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture, or both, as indicated by the context.

Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths as either Burley or flue-cured tobacco shall be considered respectively either Burley or flue-cured tobacco regardless of any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

(w) "Tobacco available for marketing" means all tobacco produced on the farm in the calendar year 1951 plus any carry-over tobacco, less any tobacco disposed of in accordance with § 725.243.

(x) "Tobacco subject to marketing quotas" means:

(1) Any Burley tobacco marketed during the period October 1, 1951, to September 30, 1952, inclusive, and any Burley tobacco produced in the calendar year 1951 and marketed prior to October 1, 1951.

(2) Any flue-cured tobacco marketed during the period July 1, 1951, to June 30, 1952, inclusive, and any flue-cured tobacco produced in the calendar year 1951 and marketed prior to July 1, 1951.

(y) "Trucker" means a person who engages to any extent in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(z) "Warehouseman" means a person who engages to any extent in the business of holding sales of tobacco at public auction at a warehouse.

(aa) "Warehouse sale" means a marketing of tobacco by a sale at public auction through a warehouse in the regular course of business, and shall include all lots or baskets of tobacco marketed in sequence at a given time.

§ 725.232 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions as are necessary, for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 725.233 *Extent of calculations and rules of fractions.* (a) The acreage of tobacco harvested on a farm in 1951 shall be expressed in tenths and fractions of less than one-tenth acre shall be dropped. For example, 4.56 acres would be 4.5 acres.

(b) The percentage of excess tobacco available for marketing from a farm, hereinafter referred to as the "percent excess," shall be expressed in tenths and fractions of less than one-tenth shall be dropped. For example, 12.59 percent would be 12.5 percent.

(c) The amount of penalty per pound upon marketings of tobacco subject to penalty hereinafter referred to as the "converted rate of penalty," shall be expressed in tenths of a cent and fractions of less than a tenth shall be dropped, except that if the resulting converted rate of penalty is less than a tenth of a cent, it shall be expressed in hundredths and fractions of less than a hundredth shall be dropped. For example, 3.68 cents per pound would be 3.6 cents and 0.068 cents per pound would be 0.06 cents.

FARM MARKETING QUOTAS AND MARKETING CARDS

§ 725.234 *Amount of farm marketing quota.* (a) The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with §§ 725.211 to 725.228, 1023 (Burley and flue-51)-3, Burley and Flue-cured Tobacco Marketing Quota Regulations, 1951-52, as amended (15 F. R. 5871, 16 F. R. 1932). The actual production of

the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1951 times the farm acreage allotment.

(b) The excess tobacco on any farm shall be (1) that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1951 times the number of acres harvested in excess of the farm acreage allotment plus (2) any excess carry-over tobacco. The acreage of tobacco determined for a farm for the purpose of issuing the correct marketing card for the farm, as provided in § 725.236, shall be considered the harvested acreage for the farm unless the farm operator furnishes proof satisfactory to the county committee that a portion of the acreage planted will not be harvested or that a representative portion of the production of the acreage harvested will be disposed of other than by marketing.

§ 725.235 *No transfers.* There shall be no transfer of farm marketing quotas.

§ 725.236 *Issuance of marketing cards.* A marketing card shall be issued for each farm having tobacco available for marketing. Subject to the approval of the county committee, two or more marketing cards may be issued for any farm. All entries on each marketing card shall be made in accordance with the instructions for issuing marketing cards. Upon the return to the office of the county committee of the marketing card after all of the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. A new marketing card of the same kind shall be issued to replace a card which has been determined by the county committee to have been lost, destroyed or stolen.

(a) *Within Quota Marketing Card (MQ–76—Tobacco).* A Within Quota Marketing Card authorizing the marketing without penalty of the tobacco available for marketing shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1951 is not in excess of the farm acreage allotment and any excess carry-over tobacco from any prior marketing year can be marketed without penalty under the provisions of § 725.242 (b).

(2) If all excess tobacco produced on the farm is disposed of in accordance with § 725.243 (b), or

(3) If the tobacco was grown for experimental purposes on land owned or leased by a publicly owned agricultural experiment station and is produced at public expense by employees of the experiment station, or if the tobacco was produced by farmers pursuant to an agreement with a publicly owned experiment station whereby the experiment station bears the costs and risks incident to the production of the tobacco and the proceeds from the crop inure to the benefit of the experiment station: *Provided,* That such agreement is approved by the State committee prior to the issuance of a marketing card for the farm.

(b) *Excess Marketing Card (MQ–77—Tobacco).* An Excess Marketing Card showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued unless a within quota card is required to be issued for the farm under paragraph (a) of this section, except that if the farm operator fails to disclose, or otherwise furnish, or prevents the county committee from obtaining, any information necessary to the issuance of the correct marketing card, an excess marketing card shall be issued showing that all tobacco from the farm is subject to the rate of penalty set forth in § 725.245.

§ 725.237 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. The issuing officer may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided,* That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 725.238 *Rights of producers in marketing cards.* Each producer having a share in the tobacco available for marketing from a farm shall be entitled to the use of the marketing card issued for the farm for marketing his proportionate share.

§ 725.239 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from a farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 725.240 *Invalid cards.* A marketing card shall be invalid if:

(a) It is not issued or delivered in the form and manner prescribed;

(b) Entries are omitted or incorrect;

(c) It is lost, destroyed, stolen, or becomes illegible; or

(d) Any erasure or alteration has been made, and not properly initialed.

In the event any marketing card becomes invalid (other than by loss, destruction, or theft, or by omission, alteration or incorrect entry which cannot be corrected by a field assistant), the farm operator, or the person having the card in his possession, shall return it to the office of the county committee at which it was issued.

If any entry is not made on a marketing card as required, either through omission or incorrect entry, and the proper entry is made and initialed by a field assistant, then such card shall become valid.

§ 725.241 *Report of misuse of marketing card.* Any information which causes a field assistant, a member of a State, county, or community committee, or an employee of a State or county committee, to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the county or State committee.

MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES

§ 725.242 *Extent to which marketings from a farm are subject to penalty.* (a) Marketings of tobacco from a farm having no carry-over tobacco available for marketing shall be subject to penalty by the percent excess determined as follows: Divide the acreage of tobacco harvested in excess of the farm acreage allotment and not disposed of under § 725.243 by the total acreage of tobacco harvested from the farm.

(b) Marketings of tobacco from a farm having carry-over tobacco available for marketing shall be subject to penalty by the percent excess determined as follows:

(1) Determine the number of "carry-over" acres by dividing the number of pounds of carry-over tobacco from the prior years by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" (subparagraph (1) of this paragraph) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced, except that if the excess portion of the carry-over tobacco is disposed of under § 725.243, the "percent within quota" shall be 100.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" (subparagraph (1) of this paragraph) and the acreage of tobacco harvested in the current year.

(4) Determine the "excess acres" by subtracting from the "total acres" (subparagraph (3) of this paragraph) the sum of the 1951 allotment and the "with in quota carry-over acres" (subparagraph (2) of this paragraph).

(5) Determine the percent excess by dividing the "total acres" into the "excess acres" (subparagraph (4) of this paragraph).

(6) Those persons having an interest in the carry-over tobacco for a farm shall be liable for the payment of any penalty due thereon.

(c) For the purpose of determining the penalty due on each marketing by a producer of tobacco subject to penalty, the converted rate of penalty per pound shall be determined by multiplying the applicable rate of penalty by the percent excess obtained under paragraph (a) or (b) of this section. The memorandum of sale issued to identify each such marketing shall show the amount of penalty due.

§ 725.243 *Disposition of excess tobacco.* The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by either of the following methods:

(a) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1951 crop produced on the farm, and posting of a bond approved by the county committee and the State committee in the penal sum of twice the rate of penalty per pound set forth in

§ 725.245, times the quantity of excess tobacco stored. Penalty at the applicable full rate per pound on marketings of excess tobacco shall become due upon the removal from storage of the excess tobacco, except that an amount of such tobacco in storage equal to the normal production of the acreage by which the 1952 harvested acreage plus any acreage added with respect to any excess carryover tobacco for the farm pursuant to § 725.242 (b) is less than the 1952 allotment may be removed from storage and marketed penalty free.

If the 1951 harvested acreage is less than the 1951 allotment an amount of any tobacco from the farm which was placed under storage for a prior marketing year equal to the normal production of the acreage by which the 1951 harvested acreage plus any acreage added with respect to any excess carry-over tobacco for the farm pursuant to § 725.242 (b) is less than the 1951 allotment may be marketed penalty free.

(b) By furnishing to the county committee satisfactory proof that excess tobacco representative of the entire crop will not be marketed.

§ 725.244 *Identification of marketings.* Each marketing of tobacco from a farm shall be identified by an executed memorandum of sale from the 1951 marketing card (MQ–76—Tobacco or MQ–77—Tobacco) issued for the farm on which the tobacco was produced. In addition, in the case of nonwarehouse sales each marketing shall also be identified by an executed bill of nonwarehouse sale (reverse side of memorandum of sale).

(a) *Memorandum of sale.* If a memorandum of sale is not executed to identify a warehouse sale of producer's tobacco by the end of the sale day on which the tobacco was marketed, the marketing shall be a suspended sale, and, unless a memorandum identifying the tobacco so marketed is executed on or before the last warehouse sale day of the marketing season, or within four weeks after the date of marketing, whichever comes first, the marketing shall be identified by MQ–82—Tobacco, Sale Without Marketing Card, as a marketing of excess tobacco. The memorandum of sale or MQ–82—Tobacco shall be executed only by a field assistant or other representative of the State committee with the following exceptions:

(1) A warehouseman, or his representative, who has been authorized on MQ–78—Tobacco, may issue a memorandum of sale to identify a warehouse sale if a field assistant is not available at the warehouse when the marketing card is presented. Each memorandum of sale issued by a warehouseman to cover a warehouse sale shall be presented promptly by him to the field assistant for verification with the warehouse records.

(2) In the case of flue-cured tobacco only, a dealer, or his authorized representative, operating a receiving point for scrap tobacco at a redrying plant (and other regular receiving points operated by such dealer or his agent or employees) or at an auction warehouse, who keeps records showing the information specified in § 725.252, and who has been authorized on MQ–78—Tobacco, may issue a memorandum of sale covering a purchase of scrap tobacco only if the bill of nonwarehouse sale has been executed.

The authorization on MQ–78—Tobacco to issue memoranda of sale may be withdrawn by the State committee from any warehouseman or dealer if such action is determined to be necessary in order to properly enforce the provisions of §§ 725.230 to 725.260. The authorization shall terminate upon receipt of written notice setting forth the State committee's reason therefor.

Each excess memorandum of sale issued by a field assistant shall be verified by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed and such warehouseman or dealer shall not be relieved of any liability with respect to the amount of penalty due because of any error which may occur in executing the memorandum of sale.

(b) *Bill of nonwarehouse sale.* Each nonwarehouse sale shall be identified by a bill of nonwarehouse sale completely executed by the buyer and the farm operator.

The word "scrap" shall be plainly written on any bill of nonwarehouse sale or memorandum of sale executed to cover scrap tobacco, and all such bills of nonwarehouse sale shall be delivered to a person at a scrap receiving point who is authorized to issue memoranda of sale.

Each bill of nonwarehouse sale covering any marketing except scrap tobacco shall be presented to a field assistant for the issuance of a memorandum of sale and for recording in MQ–79—Tobacco.

§ 725.245 *Rate of penalty.* (a) The penalty per pound upon marketings of excess tobacco subject to marketing quotas shall be twenty (20) cents per pound in the case of Burley tobacco and twenty-two (22) cents per pound in the case of flue-cured tobacco.

(b) With respect to tobacco marketed from farms having excess tobacco available for marketing the penalty shall be paid upon that percentage of each lot of tobacco marketed which the tobacco available for marketing in excess of the farm quota is of the total amount of tobacco available for marketing from the farm.

§ 725.246 *Persons to pay penalty.* The person to pay the penalty due on any marketing of tobacco subject to penalty shall be determined as follows:

(a) *Warehouse sale.* The penalty due on marketings by a producer through a warehouse shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Nonwarehouse sale.* The penalty due on tobacco purchased directly from a producer other than at public auction through a warehouse shall be paid by the purchaser of the tobacco who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Marketings through an agent.* The penalty due on marketings by a producer through an agent who is not a warehouseman shall be paid by the agent who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Marketings outside the United States.* The penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer.

§ 725.247 *Marketings deemed to be excess tobacco.* Any marketing of tobacco under any one of the following conditions shall be deemed to be a marketing of excess tobacco.

(a) *Warehouse sale.* Any warehouse sale of tobacco by a producer which is not identified by a valid memorandum of sale on or before the last warehouse sale day of the marketing season or within four weeks following the date of marketing, whichever comes first, shall be identified by a MQ–82—Tobacco, and shall be deemed to be a marketing of excess tobacco. The penalty thereon shall be paid by the warehouseman.

(b) *Nonwarehouse sale.* Any nonwarehouse sale which (1) is not identified by a valid bill of nonwarehouse sale (reverse side of memorandum of sale) and (2) is not also identified by a valid memorandum of sale and recorded in MQ–79—Tobacco within one week following the date of purchase, or if purchased prior to the opening of the local auction markets, is not identified by a valid memorandum of sale and recorded in MQ–79—Tobacco within one week following the first sale day of the local auction markets, shall be deemed to be a marketing of excess tobacco. The penalty thereon shall be paid by the purchaser of such tobacco.

(c) *Leaf account tobacco.* The part or all of any marketing by a warehouseman which such warehouseman represents to be a leaf account resale but which when added to prior leaf account resales, as reported under §§ 725.230 to 725.260, is in excess of prior leaf account purchases shall be deemed to be a marketing of excess tobacco unless and until such warehouseman furnishes proof acceptable to the Director or State committee showing that such marketing is not a marketing of excess tobacco. The penalty thereon shall be paid by the warehouseman.

(d) *Dealer's tobacco.* The part or all of any marketing of tobacco by a dealer which such dealer represents to be a resale but which when added to prior resales by such dealer is in excess of the total of his prior purchases as reported on MQ–79—Tobacco, shall be deemed to be a marketing of excess tobacco unless and until such dealer furnishes proof acceptable to the Director or State committee, showing that such marketing is not a marketing of excess tobacco. The penalty thereon shall be paid by the dealer.

(e) *Marketings not reported.* Any resale of tobacco which under §§ 725.230 to 725.260, is required to be reported by a warehouseman or dealer but which is not so reported within the time and in the manner required by §§ 725.230 to 725.260 shall be deemed to be a marketing of excess tobacco unless and until such warehouseman or dealer furnishes

a report of such resale which is acceptable to the Director or State committee. The penalty thereon shall be paid by the warehouseman or dealer who fails to make the report as required.

(f) *Producer marketings.* If any producer falsely identifies or fails to account for the disposition of any tobacco produced on a farm, an amount of tobacco equal to the normal yield of the number of acres harvested in 1951 in excess of the farm acreage allotment shall be deemed to have been a marketing of excess tobacco from such farm. The penalty thereon shall be paid by the producer.

§ 725.248 *Payment of penalty.* (a) Penalties shall become due at the time the tobacco is marketed, except in the case of tobacco removed from storage as provided in § 725.243 (a), and shall be paid by remitting the amount thereof to the State committee not later than the end of the calendar week following the week in which the tobacco became subject to penalty. A draft, money order, or check drawn payable to the Treasurer of the United States may be used to pay any penalty, but any such draft or check shall be received subject to payment at par.

(b) If the penalty due on any warehouse sale of tobacco by a producer as determined under §§ 725.230 to 725.260 is in excess of the net proceeds of such sale (gross amount for all lots included in the sale less usual warehouse charges), the amount of the net proceeds accompanied by a copy of the warehouse bill covering such sale may be remitted as the full penalty due. Usual warehouse charges shall not include (1) advances to producers, (2) charges for hauling, or (3) any other charges not usually incurred by producers in marketing tobacco through an auction warehouse.

(c) Nonwarehouse sales, including sales of scrap tobacco, shall be subject to the converted rate of penalty for the farm on which the tobacco was produced without regard to the net proceeds of the sale.

§ 725.249 *Request for return of penalty.* Any producer of tobacco after the marketing of all tobacco available for marketing from the farm, and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount required under §§ 725.230 to 725.260, to be paid. Such request shall be filed with the county committee within two (2) years after the payment of the penalty.

RECORDS AND REPORTS

§ 725.250 *Producer's records and reports*—(a) *Report on marketing card.* The operator of each farm on which tobacco is produced in 1951 shall return to the office of the county committee each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the locality in which the farm is located. Failure to return the marketing card within the time specified (after formal notification) shall constitute failure to account for disposition of tobacco marketed from the farm and in the event that a satisfactory account of such disposition is not furnished otherwise the allotment next established for such farm shall be reduced as provided in Burley and flue-cured tobacco marketing quota regulations for determining acreage allotments and normal yields, 1952–53 marketing year.

(b) *Additional reports by producers.* In addition to any other reports which may be required under §§ 725.230 to 725.260, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment or even though no allotment was established for the farm) shall upon written request by registered mail from the State committee and within 15 days after the deposit of such request in the United States mails, addressed to such person at his last known address, furnish the Secretary a written report of the disposition made of all tobacco produced on the farm by sending the same to the State committee showing, as to the farm at the time of filing said report, (1) the number of acres of tobacco harvested, (2) the total production of tobacco, (3) the amount of tobacco on hand and its location, and (4) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of the marketing. Failure to file the report as requested or the filing of a report which is found by the State committee to be incomplete or incorrect shall constitute failure of the producer to account for disposition of tobacco produced on the farm and the allotment next established for such farm shall be reduced as provided in the Burley and flue-cured tobacco marketing quota regulations for determining acreage allotments and normal yields, 1952–53 marketing year.

§ 725.251 *Warehouseman's records and reports*—(a) *Record of marketing.* Each warehouseman shall keep such records as will enable him to furnish the Director or the State committee with respect to each warehouse sale of tobacco made at his warehouse the following information:

(1) The name of the operator of the farm on which the tobacco was produced and the name of the seller in the case of a sale by a producer, and in the case of a resale the name of the seller.

(2) Date of sale.

(3) Number of pounds sold.

(4) Gross sale price.

(5) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer(s); and in addition with respect to each individual basket or lot of tobacco constituting the warehouse sale the following information.

(6) Name of purchaser.

(7) Number of pounds sold.

(8) Gross sale price.

(9) Records of all purchases and resales of tobacco by the warehouseman shall be maintained to show a separate account for:

(i) Nonwarehouse sales by farmers of tobacco purchased by or on behalf of the warehouseman.

(ii) Purchases and resales for the warehouse leaf account.

(iii) Resales of floor sweepings.

(iv) Resales of pick-ups, with respect to both subparagraphs (1) and (2) as defined in § 725.231 (n).

Any warehouseman or any other person who grades tobacco for farmers shall maintain records which will enable him to furnish the State committee the name of the farm operator and the approximate amount of scrap tobacco obtained from the grading of tobacco from each farm.

In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each warehouse sale by a producer or the number of warehouse bill(s) covering each such sale shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale and bill of nonwarehouse sale.* A record in the form of a valid memorandum of sale or a sale without marketing card shall be obtained by a warehouseman to cover each marketing of tobacco from a farm through the warehouse and each nonwarehouse sale of tobacco purchased by or for the warehouseman. For a nonwarehouse sale of tobacco purchased by or for a warehouseman, no memorandum of sale shall be issued unless the bill of nonwarehouse sale on the reverse side of the memorandum is executed. Any warehouseman who obtains possession of any scrap tobacco in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap.

(d) *Suspended sale record.* Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "Suspended," write thereon the serial number of the suspended sale, and record the bills on MQ–83—Tobacco, Field Assistant's Report: *Provided,* That if a field assistant is not available, the warehouseman may stamp such bills "Suspended" and deliver them to a field assistant when one is available.

(e) *Warehouse entries on dealer's record.* Each warehouseman shall record on MQ–79—Tobacco the total purchases and resales made by each dealer or other warehouseman during each sale day at the warehouse and enter his initials in the space provided. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1951 the entry on MQ–79—Tobacco shall clearly show such fact.

(f) *Record and report of purchases and resales.* Each warehouseman shall keep a record and make reports on MQ–79—Tobacco, Dealer's Record, showing:

(1) All purchases of tobacco directly from producers other than at public auction through a warehouse (nonwarehouse sales).

(2) All purchases and resales of tobacco at public auction through warehouses other than his own.

(3) All purchases of tobacco from dealers other than warehousemen and resales of tobacco to dealers other than warehousemen.

(g) *Season report of warehouse business.* Each warehouseman shall furnish the State committee not later than thirty (30) days following the last sale day of the marketing season a report on MQ–80—Tobacco, Auction Warehouse Report, showing (1) for each dealer or buyer, as originally billed, the total pounds and gross amount of tobacco purchased and resold on the warehouse floor; (2) the total pounds and gross amount of "loan tobacco" billed to any association; (3) the total pounds and gross amount of all leaf account tobacco purchased and resold and of all pick-ups (§ 725.231 (n) (1) or (2)) or floor sweepings sold by the warehouseman at public auction over his own warehouse floor; (4) the pounds and estimated value of all tobacco on hand at the time of filing the report and whether such tobacco represents leaf account tobacco, pick-ups (§ 725.231 (n) (1) or (2)), or floor sweepings; (5) the total pounds and gross amount of all tobacco purchased directly from farmers other than at public auction through a warehouse; and (6) the total pounds and gross amount of all purchases over other warehouse floors or from dealers other than warehousemen and all resales over other warehouse floors or to dealers other than warehousemen.

(h) *Report of penalties.* Each warehouseman shall make reports on MQ–81—Tobacco, Report of Penalties, showing for each sale of tobacco subject to penalty (1) the name of the farm operator; (2) the memorandum number; (3) the name of the county in which the farm is located; (4) the farm serial number; (5) the number of pounds sold; (6) the applicable converted rate of penalty; and (7) the amount of penalty due on each such sale. MQ–81—Tobacco shall be prepared for each week and forwarded together with remittance of the penalty due as shown thereon to the State committee not later than the end of the calendar week following the week in which the tobacco became subject to penalty.

(i) *Report of resales.* Each warehouseman shall make reports on MQ–86—Tobacco, Report of Resales, showing for each resale of tobacco at auction on the warehouse floor (1) the warehouse bill number; (2) the name on the warehouse bill; (3) the name of the seller, or in the case of a resale for the warehouse, whether such resale represents leaf account tobacco, pick-ups, or floor sweepings; (4) the registration number and State of the person making the resale; (5) the number of pounds sold; and (6) the gross amount for the sale. MQ–86–Tobacco shall be prepared for each sale day and forwarded to the State committee not later than the end of the calendar week following the week in which the tobacco was resold.

(j) *Additional records and reports by warehousemen.* Each warehouseman shall keep such records and furnish such reports to the State committee, in addition to the foregoing, as the Director may find necessary to insure the proper identification of the marketings of tobacco and the collection of penalties due thereon as provided in §§ 725.230 to 725.260.

§ 725.252 *Dealer's records and reports.* Each dealer, except as provided in § 725.253, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the State committee "Receipt for Dealer's Record" contained in MQ–79—Tobacco which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on MQ–79—Tobacco, Dealer's Record, showing all purchases and resales of tobacco made by or for the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1951, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1951.

(c) *Report of penalties.* Each dealer shall make a report on MQ–81—Tobacco, Report of Penalties, showing for each purchase of tobacco subject to penalty (1) the name of the farm operator; (2) the memorandum number; (3) the name of the county in which the farm is located; (4) the farm serial number; (5) the number of pounds purchased; (6) the applicable converted rate of penalty; and (7) the amount of penalty due on each such purchase. MQ–81—Tobacco shall be prepared for each week and forwarded together with remittance of the penalty due as shown thereon to the State committee not later than the end of the calendar week following the week in which the tobacco became subject to penalty.

(d) *Memorandum of sale and bill of nonwarehouse sale.* A bill of nonwarehouse sale and a memorandum of sale from the 1951 marketing card issued for the farm on which the tobacco was produced shall be obtained by a dealer to cover each purchase of tobacco directly from a producer other than at auction through a warehouse. No memorandum of sale shall be issued identifying such purchase unless the bill of nonwarehouse sale on the reverse side of the memorandum of sale has been executed.

(e) *Record and report of scrap tobacco.* Each dealer operating a receiving point for scrap tobacco who has been authorized on MQ–78—Tobacco to issue memoranda of sale, shall keep a record and make reports on MQ–79—Tobacco showing all tobacco received. Such reports shall be accompanied by memoranda of sale and bills of nonwarehouse sale with respect to all tobacco covered by the reports.

(f) *Additional records.* Each dealer shall keep such records in addition to the foregoing, as will enable him to furnish the Director or the State committee with respect to each lot of tobacco purchased by him, the following information:

(1) The name of the warehouse through which the tobacco was purchased in the case of a warehouse sale; the name of the operator of the farm on which the tobacco was produced and the name of the seller in the case of a nonwarehouse sale; and the name of the seller in the case of purchases directly from warehousemen or other dealers.

(2) Date of purchase.

(3) Number of pounds purchased.

(4) Gross purchase price.

(5) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer(s); and with respect to each lot of tobacco sold by him the following information.

(6) Name of the warehouse through which the tobacco was sold in the case of a warehouse sale, and the name of the purchaser if other than a warehouse sale.

(7) Date of sale.

(8) Number of pounds sold.

(9) Gross sale price.

(10) In the event of a resale of tobacco bought by him and carried over from a crop produced prior to 1951 the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the State committee not later than the end of the week following the calendar week covered by the reports.

§ 725.253 *Dealers exempt from regular records and reports.* Any dealer or buyer who does not purchase or otherwise acquire tobacco except (a) at warehouse sales, or (b) directly from dealers other than warehousemen, and who does not resell in the form in which tobacco ordinarily is sold by farmers more than 10 percent of such tobacco so purchased by him shall not be subject to the provisions of § 725.252: *Provided, however,* That any such dealer or buyer who purchases tobacco (a) at nonwarehouse sale, or (b) from a warehouseman other than at warehouse sale shall be subject to the provisions of § 725.252 with respect to such purchases. Each such dealer or buyer shall make such reports to the Director, in addition to the foregoing, as he may find necessary to enforce §§ 725.230 to 725.260, and each dealer or buyer who is not subject to the provisions of § 725.252 shall make such reports to the Director as he may find necessary to enforce §§ 725.230 to 725.260.

§ 725.254 *Records and reports of truckers and persons redrying, prizing or stemming tobacco.* (a) Every person engaged to any extent in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Director or State committee a report with respect to each lot of tobacco received by him showing (1) the name and address of the farm operator, (2) the date of receipt of the tobacco, (3) the number of pounds received, and (4) the place to which it was delivered.

(b) Every person engaged to any extent in the business of redrying, prizing or stemming tobacco for producers shall keep such records as will enable him to

furnish the Director a report showing (1) the information required above for truckers, and in addition, (2) the purpose for which the tobacco was received, (3) the amount of advance made by him on the tobacco, and (4) the disposition of the tobacco.

Each such person shall make such reports to the Director as he may find necessary to enforce §§ 725.230 to 725.260.

§ 725.255 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, trucker, or as a person engaged in the business of redrying, prizing or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 725.256 *Failure to keep records or make reports.* Any warehouseman, dealer, trucker, or person engaged in the business of redrying, prizing, or stemming tobacco for producers, who fails to make any report or keep any record as required under §§ 725.230 to 725.260, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Director.

§ 725.257 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report but not so furnished, any warehouseman, dealer, trucker, or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination upon written request by the State committee or Director, such books, papers, records, accounts, cancelled checks, correspondence, contracts, documents, and memoranda as the State committee or Director has reason to believe are relevant and are within the control of such person.

§ 725.258 *Length of time records and reports are to be kept.* Records required to be kept and copies of the reports required to be made by any person under §§ 725.230 to 725.260 for the 1951–52 marketing year shall be kept by him until June 30, 1954, in the case of flue-cured tobacco, and September 30, 1954, in the case of Burley tobacco. Records shall be kept for such longer period of time as may be requested in writing by the Director or State committee.

§ 725.259 *Information confidential.* All data reported to or acquired by the Secretary pursuant to the provisions of §§ 725.230 to 725.260 shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members of community committees and all members and employees of county committees, and only such data so reported or acquired as the Assistant Administrator for Production, Production and Marketing Administration, deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

§ 725.260 *Redelegation of authority.* Any authority delegated to the State committee by §§ 725.230 to 725.260 may be redelegated by the State committee.

NOTE: The record keeping and reporting requirements of these regulations have been approved by and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 22d day of May 1951. Witness my hand and seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-6053; Filed, May 24, 1951; 8:51 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 814.5, Amdt. 1]

PART 814—ALLOTMENT OF SUGAR QUOTAS

PUERTO RICO, 1951

Basis and purpose. This amendment is issued under section 205 (a) of the Sugar Act of 1948 (hereinafter called the "act") for the purpose of revising § 814.5 (16 F. R. 1668) which allots the 1951 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar transferred for further processing and shipment within the direct-consumption portion of such quota) and the 1951 sugar quota for local consumption in Puerto Rico among persons (1) whose Puerto Rican raw sugar is brought into the continental United States or who transfer such sugar for further processing and shipment to the continental United States as direct-consumption sugar, and (2) who market sugar for local consumption in Puerto Rico.

The sugar quota for Puerto Rico for consumption in the continental United States is referred to herein as "mainland quota" and allotments thereof are referred to as "mainland allotments." The sugar quota for consumption in Puerto Rico and allotments thereof are referred to respectively as "local quota" and "local allotments."

The allotments established by the initial order were based upon estimates of production of sugar from the 1950–51 crop by each allottee and in order to safeguard against the possibility of a processor exceeding its final allotment, the amount of each such initial allotment which could be marketed prior to June 1, 1951, was limited to 75 percent of such allotment.

Representatives of all allottees stipulated for the record of the hearing on these allotments or subsequently agreed in writing that when so-called "Easter estimates" of production from the 1950–51 sugarcane crop became available, the initial allotment order for 1951 should be revised on the basis of such data without change in the initial formula and without further hearing. These "Easter estimates" are as follows:

Processor	*Proportionate shares* [1] *(short tons, raw value)*
Antonio Roig, Sucesores, S. en C.	52,850
Arturo Lluberas (estate of) y Sobrinos (San Francisco)	7,000
Asociacion Azucarera Cooperative (Lafayette)	38,182
Central Aguirre Sugar Co., a trust	135,000
Central Coloso, Inc.	65,500
Central Eureka, Inc.	42,415
Central Guamani, Inc.	11,550
Central Igualdad, Inc.	51,600
Central Juanita, Inc.	32,657
Central Mercedita, Inc.	88,750
Central Monserrate, Inc.	26,220
Central San Jose, Inc.	21,830
Central San Vicente, Inc.	57,500
Central Victoria, Inc.	21,510
Compania Azucarera del Camuy, Inc. (Rio Llano)	18,000
Compania Azucarera del Toa	29,700
Cooperativa Azucarera Los Canos	35,200
Corporacion Azucarera Sauri and Subira (Constancia Ponce)	15,006
Eastern Sugar Associates, a trust	143,510
Fajardo Sugar Co.	100,000
Land Authority of Puerto Rico	78,037
Mario Mercado e Hijos (Rufina)	32,312
Mayaguez Sugar Co., Inc. (Rochelaise)	12,650
Plata Sugar Co.	50,400
Soller Sugar Co.	16,000
South Porto Rico Sugar Co. of Puerto Rico	106,821
Total	1,290,200

[1] Estimated 1950–51 crop production.

The greater accuracy of these new estimates and continued orderly marketing make desirable easing the limitation on marketings so that 85 percent, instead of 75 percent, of each allotment may be marketed and to extend the terminal date of the limitation from June 1, 1951, to September 1, 1951. Each allottee under this order has agreed to this change.

A number of allottees have marketed nearly 75 percent of their allotments, hence they are precluded from orderly marketing of additional quantities of sugar until this amendment becomes effective. Moreover, a number of allottees could exceed their allotments under this amendment if they continue to mar-

ket pursuant to the allotments and limitations established by the initial allotment order. It is imperative, therefore, that this amendment become effective at the earliest possible date in order to permit continued orderly marketing of sugar and to assure that allottees will not exceed their final allotments of the mainland and local quotas. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this amendment shall be effective when published in the FEDERAL REGISTER.

Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, paragraphs (a) and (c) (1) of § 814.5 are hereby amended in the following manner:

1. Paragraph (a) of § 814.5 is hereby revised to read as follows:

§ 814.5 *Allotments of 1951 sugar quotas for Puerto Rico*—(a) *Allotments.* The 1951 sugar quota for Puerto Rico for consumption in the continental United States, including raw sugar to be further processed and shipped within the direct-consumption portion of such quota, amounting to 910,000 short tons of sugar, raw value, and the 1951 sugar quota for local consumption in Puerto Rico, amounting to 110,000 short tons of sugar, raw value, are hereby allotted to the following processors in amounts which appear in columns (1) and (3) opposite their respective names:

Processor	Mainland allotment		Local allotment	
	Total (1)	85 percent (2)	Total (3)	85 percent (4)
Antonio Roig, Sucesores, S. en C	19,568	16,633	22,829	19,405
Arturo Lluberas (estate of) y Sobrinos (San Francisco)	3,959	3,365	1,623	1,380
Asociacion Azucarera Cooperative (Lafayette)	29,465	25,045	833	708
Central Aguirre Sugar Co., a trust	102,428	87,064	1,995	1,696
Central Coloso, Inc	47,982	40,785	849	722
Central Eureka, Inc	29,888	25,405	1,479	1,257
Central Guamani, Inc	7,843	6,667	1,117	949
Central Igualdad, Inc	21,149	17,977	18,137	15,416
Central Juanita, Inc	24,816	21,094	2,377	2,020
Central Mercedita, Inc	48,943	41,601	18,661	15,862
Central Monserrate, Inc	19,676	16,725	1,261	1,072
Central San Jose, Inc	17,274	14,683	21	18
Central San Vicente, Inc	42,971	36,525	1,809	1,538
Central Victoria, Inc	17,359	14,755	222	189
Compania Azucarera del Camuy, Inc. (Rio Llano)	13,804	11,733	124	105
Compania Azucarera del Toa	24,319	20,671		
Cooperativa Azucarera Los Canos	28,017	23,814	118	100
Corporacion Azucarera Souri and Subira (Constancia Ponce)	9,637	8,191	1,556	1,323
Eastern Sugar Associates, a trust	98,679	83,877	16,060	13,651
Fajardo Sugar Co	84,051	71,443	2	1
Land Authority of Puerto Rico	64,006	54,405	15	13
Mario Mercado e Hijos (Rufina)	24,076	20,465	1,367	1,162
Mayaguez Sugar Co., Inc. (Rochelaise)	9,583	8,146	168	143
Plata Sugar Co	38,025	32,321	504	428
Soller Sugar Co	12,153	10,330	16	14
South Porto Rico Sugar Co. of Puerto Rico	70,329	59,780	16,857	14,328
Total	910,000	773,500	110,000	93,500

2. Paragraph (c) (1) of § 814.5 is hereby amended to read as follows:

(c) *Restrictions on marketing.* (1) Prior to September 1, 1951, each processor named in paragraph (a) of this section, together with the producers with whom it shares its allotments under paragraph (b) of this section, is hereby prohibited from bringing into or marketing for entry into the continental United States for consumption therein, or from marketing for local consumption in Puerto Rico, any sugar in excess of 85 percent of the allotments established in paragraph (a) of this section, such quantities being shown in columns 2 and 4 of the table in paragraph (a) of this section.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 205, 61 Stat. 926; 7 U. S. C. Sup., 1115)

Done at Washington, D. C., this 22d day of May, 1951. Witness my hand and seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN, *Secretary.*

[F. R. Doc. 51-6057; Filed, May 24, 1951; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5776]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AUTOMATIC VOTING MACHINE CORP. ET AL.

Subpart—*Cutting off competitors' or other's access to customers or market:* § 3.558 *Instigating vexatious and groundless taxpayers' suits.* Subpart—*Disparaging competitors and their products—Competitors:* § 3.917 *Facilities;* § 3.950 *Reliability, history and financial condition—Competitors' products:* § 3.985 *Manufacture or preparation;* § 3.1000 *Performance;* § 3.1010 *Qualities or properties;* §3.1015 *Quality.* Subpart—*Interfering with competitors or their goods—Competitors:* § 3.1087 *Instigating vexatious and groundless suits.* In connection with the offering for sale, sale and distribution of voting machines in commerce, (1) representing in any manner or by any means, directly or by implication, (a) that the financial condition of the competitor of respondent corporation is unstable; (b) that the voting machines of said competitor or the counting mechanism of said machines can be improperly manipulated without detection; (c) that the use of said competitor's voting machines is conducive to, or encourages, fraud in elections; (d) that said competitor lacks adequate experience in, or facilities for, servicing its voting machines; (e) that the life expectancy of said competitor's voting machines is shorter than is the fact; (f) that the electric motor in said competitor's voting machine serves no purpose other than to close and open the curtains which enclose the voter; (g) that it is necessary for voters to assume ungainly positions when voting by means of said competitor's vertical column voting machine; (h) that the punching machine equipment in conjunction with said competitor's vertical type voting machines is unusually expensive; (i) that where said competitor's voting machine is used the cost for printing is greater than is such cost where the voting machine of respondent corporation is used; (j) that with said competitor's electrically or manually operated voting machines, voting is slower than with the respondent corporation's electrically or manually operated voting machines, respectively; (k) that secrecy in voting for write-in candidates is destroyed or rendered impossible when said competitor's voting machine is used; or, (l) that said competitor's voting machines do not fully, properly or secretly record or tabulate a voter's choice; or (2) instigating or financing, directly or indirectly, lawsuits by others against purchasers or prospective purchasers of the voting machines of the competitor of respondent corporation with the purpose, intent or effect of hindering or obstructing the business or sales of said competitor, or of impounding, or having impounded, moneys payable to or due said competitor, or of injuring the credit or reputation of said competitor; prohibited, subject to the provision, however, that such prohibition shall not impair any rights accorded respondents by state law openly and publicly to cooperate in, support, finance or otherwise encourage or promote litigation affecting contracts or awards for said competitor's voting machines where the respondent corporation is the lower bidder for electrically operated voting machines as against the electrically operated voting machines of its competitor, or for manually operated voting machines as against manually operated voting machines of its competitor, and where such litigation is brought in good faith; (a) to test and determine judicially the validity of any such contracts awarded to said competitor in any jurisdiction where the law now requires, or where in the future it may require, that the contract-awarding authority or governmental purchasing agency, without the right to exercise discretion, shall make its award only to the lowest bidder; or (b) to test and determine judicially questions of fraud, deceit or trickery; or (c) to question judicially the discretionary action of public officials in

awarding a contract for voting machines to a higher bidder where it is apparent or in good conscience believed that such public officials acted arbitrarily or capriciously, and where, upon request by the losing bidder or by any within the jurisdiction affected, such public officials fail or refuse to furnish a valid reason for making such award to the higher bidder.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 45. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Automatic Voting Machine Corporation et al., Docket 5776, March 19, 1951]

In the Matter of Automatic Voting Machine Corporation et al.

This proceding was heard by William L. Pack, trial examiner, upon the complaint of the Commission, respondents' substitute answers (in which, with certain exceptions as to certain directors of the respondent corporation in their individual capacities and as to one deceased respondent) all of the material allegations of fact in the complaint were admitted, certain affidavits executed by said directors, a stipulation as to certain matters involved in the proceeding but not specifically set forth in the complaint, and a proposed order which was agreed upon by counsel submitting the complaint and counsel for respondents.

Thereafter the proceeding regularly came on for final consideration by said trial examiner, theretofore duly designated by the Commission, upon the complaint, substitute answers, affidavits, stipulation, and proposed order (the filing of proposed findings and conclusions having been waived by counsel and oral argument not having been requested); and said trial examiner, having duly considered the record and found that the instant proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order, including order to cease and desist, and order dismissing the complaint as to certain respondents as therein set forth.

Thereafter, the matter was disposed of as follows by the Commission's "Order denying respondents' appeal from initial decision of the trial examiner and decision of the Commission and order to file report of compliance," Docket 5776, March 21, 1951.

This matter coming on to be heard by the Commission upon the respondents' appeal from the trial examiner's initial decision in this proceeding, and the brief in opposition thereto filed by counsel in support of the complaint; and

It appearing to the Commission that the grounds relied upon in support of said appeal are (1) that the alleged unfair methods of competition and unfair or deceptive acts and practices making up the alleged violation of law constitute a private controversy between the respondents and their competitor, redressable in the courts, and do not involve or affect the public interest; and (2) that certain of the trial examiner's findings of fact and conclusions are improper in that they are not supported by the record; and

It further appearing that the question of the public interest in this proceeding was specifically adjudicated by the Commission in its order of March 19, 1951, denying the respondents' motion to stay further proceedings and to stay the issuance of an order to cease and desist herein; and

It further appearing also that the trial examiner's findings of fact and conclusions are all full supported by the record wherein the respondents against whom the order to cease and desist was directed admitted all of the material allegations of fact set forth in the complaint, waived all hearings and further procedure as to said facts, including their right to submit to the trial examiner proposed findings as to the facts, and agreed that the Commission might make any findings as to the facts and conclusion it deemed advisable and proper regarding the acts and practices admitted to have been engaged in and might issue any order it deemed appropriate to prevent the respondents from thereafter engaging in such acts and practices; and

The Commission being of the opinion that the respondents' appeal is without merit and that the trial examiner's initial decision is appropriate in all respects to dispose of this proceeding:

It is ordered, That the respondents' appeal from the initial decision of the trial examiner and their request for oral argument in support of said appeal be, and they hereby are, denied.

It is further ordered, That the attached initial decision of the trial examiner shall on the 19th day of March 1951, become the decision of the Commission.

It is further ordered, That the respondents (except Burton G. Tremaine III, George S. Stevenson, Burton G. Tremaine, Jr., and W. G. McKetterick, in their individual capacities, and respondent William H. Staring, now deceased) shall, within sixty (60) days after service upon them of this order file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

The said order to cease and desist, in said initial decision, is as follows:

It is ordered, That respondent Automatic Voting Machine Corporation, a corporation, its officers and directors, and respondent Alaric R. Bailey, individually and as an officer and director of said corporation, and respondent Paul A. Ahlstrom, individually and as an officer of said corporation, and respondents Frank P. Stone, Raymond C. Anderson, Alvin N. Gustavson, and Oscar F. Swanson, individually and as employees of said corporation, and respondent Burton G. Tremaine III, as an officer and director of said corporation, and respondents George S. Stevenson, Burton G. Tremaine, Jr., and W. G. McKetterick, as directors of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of voting machines in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner or by any means, directly or by implication:

(a) That the financial condition of the competitor of respondent corporation is unstable.

(b) That the voting machines of said competitor or the counting mechanism of said machines can be improperly manipulated without detection.

(c) That the use of said competitor's voting machines is conducive to, or encourages, fraud in elections.

(d) That said competitor lacks adequate experience in, or facilities for, servicing its voting machines.

(e) That the life expectancy of said competitor's voting machines is shorter than is the fact.

(f) That the electric motor in said competitor's voting machine serves no purpose other than to close and open the curtains which enclose the voter.

(g) That it is necessary for voters to assume ungainly positions when voting by means of said competitor's vertical column voting machine.

(h) That the punching machine equipment used in conjunction with said competitor's vertical type voting machines is unusually expensive.

(i) That where said competitor's voting machine is used the cost for printing is greater than is such cost where the voting machine of respondent corporation is used.

(j) That with said competitor's electrically or manually operated voting machines, voting is slower than with the respondent corporation's electrically or manually operated voting machines, respectively.

(k) That secrecy in voting for write-in candidates is destroyed or rendered impossible when said competitor's voting machine is used.

(l) That said competitor's voting machines do not fully, properly or secretly record or tabulate a voter's choice.

2. Instigating or financing, directly or indirectly, lawsuits by others against purchasers or prospective purchasers of the voting machines of the competitor of respondent corporation with the purpose, intent or effect of hindering or obstructing the business or sales of said competitor, or of impounding, or having impounded, moneys payable to or due said competitor, or of injuring the credit or reputation of said competitor; provided that nothing contained herein shall impair any rights accorded respondents by state law openly and publicly to cooperate in, support, finance or otherwise encourage or promote litigation affecting contracts or awards for said competitor's voting machines where the respondent corporation is the lower bidder for electrically operated voting machines as against the electrically operated voting machines of its competitor, or for manually operated voting machines as against manually operated voting machines of its competitor, and where such litigation is brought in good faith:

(a) To test and determine judicially the validity of any such contracts awarded to said competitor in any jurisdiction where the law now requires, or where in the future it may require, that the contract-awarding authority or governmental purchasing agency, without the right to exercise discretion, shall

make its award only to the lowest bidder; or

(b) To test and determine judicially questions of fraud, deceit or trickery; or

(c) To question judicially the discretionary action of public officials in awarding a contract for voting machines to a higher bidder where it is apparent or in good conscience believed that such public officials acted arbitrarily or capriciously, and where, upon request by the losing bidder or by any taxpayer within the jurisdiction affected, such public officials fail or refuse to furnish a valid reason for making such award to the highest bidder.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to respondents Burton G. Tremaine III, George S. Stevenson, Burton G. Tremaine, Jr., and W. G. McKetterick in their individual capacities but not in their respective capacities as officers or directors of respondent corporation, and that the complaint be, and it hereby is, dismissed as to respondent William H. Staring, deceased since the institution of this proceeding.

Issued: March 21, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-6032; Filed, May 24, 1951; 8:47 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

IMPORTS AND EXPORTS

Pursuant to the authority vested in the Federal Security Administrator and the Secretary of the Treasury by the provisions of sections 701 (b) and 801 (c) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 63 Stat. 882; 21 U. S. C. 371 (b), 381 (c)), the regulations for the enforcement of section 801 (21 CFR 1.302–1.313, inclusive; 15 F. R. 584, 2756) are rescinded and the following regulations are issued in lieu thereof:

Sec.
1.315 Definitions.
1.316 Notice of sampling.
1.317 Payment for samples.
1.318 Hearing.
1.319 Application for authorization.
1.320 Granting of authorization.
1.321 Bonds.
1.322 Costs chargeable in connection with relabeling and reconditioning inadmissible imports.

AUTHORITY: §§ 1.315 to 1.322 issued under secs. 371, 381, 52 Stat. 1040, 1055, as amended; 21 U. S. C. 371, 381.

IMPORTS AND EXPORTS

§ 1.315 *Definitions.* For the purposes of the regulations prescribed under section 801 (a), (b), and (c) of the Federal Food, Drug, and Cosmetic Act:

(a) The term "owner" or "consignee" means the person who has the rights of a consignee under the provisions of sections 483, 484, and 485 of the Tariff Act of 1930, as amended (19 U. S. C. 1483, 1484, 1485).

(b) The term "chief of district" means the chief of the district of the Food and Drug Administration having jurisdiction over the port of entry through which an article is imported or offered for import, or such officer of the district as he may designate to act in his behalf in administering and enforcing the provisions of section 801 (a), (b), and (c).[1]

§ 1.316 *Notice of sampling.* When a sample of an article offered for import has been requested by the chief of district, the collector of customs having jurisdiction over the article shall give to the owner or consignee prompt notice of delivery of, or intention to deliver, such sample. Upon receipt of the notice, the owner or consignee shall hold such article and not distribute it until further notice from the chief of district or the collector of customs of the results of examination of the sample.

§ 1.317 *Payment for samples.* The Food and Drug Administration will pay for all import samples which are found to be in compliance with the requirements of the Federal Food, Drug, and Cosmetic Act. Billing for reimbursement should be made by the owner or consignee to the Food and Drug Administration district headquarters in whose territory the shipment was offered for import. Payment for samples will not be made if the article is found to be in violation of the act, even though subsequently brought into compliance under the terms of an authorization to bring the article into compliance or rendered not a food, drug, device, or cosmetic as set forth in § 1.319.

§ 1.318 *Hearing.* (a) If it appears that the article may be subject to refusal of admission, the chief of district shall give the owner or consignee a written notice to that effect, stating the reasons therefor. The notice shall specify a place and a period of time during which the owner or consignee shall have an opportunity to introduce testimony. Upon timely request, giving reasonable grounds therefor, such time and place may be changed. Such testimony shall be confined to matters relevant to the admissibility of the article, and may be introduced orally or in writing.

(b) If such owner or consignee submits or indicates his intention to submit an application for authorization to relabel or perform other action to bring the article into compliance with the act or to render it other than a food, drug, device, or cosmetic, such testimony shall include evidence in support of such application. If such application is not submitted at or prior to the hearing, the chief of district shall specify a time limit, reasonable in the light of the circumstances, for filing such application.

§ 1.319 *Application for authorization.* Application for authorization to relabel or perform other action to bring the article into compliance with the act or to render it other than a food, drug, device, or cosmetic may be filed only by the owner or consignee, and shall:

(a) Contain detailed proposals for bringing the article into compliance with the act or rendering it other than a food, drug, device, or cosmetic.

(b) Specify the time and place where such operations will be carried out and the approximate time for their completion.

§ 1.320 *Granting of authorization.* (a) When authorization contemplated by § 1.319 is granted, the chief of district shall notify the applicant in writing, specifying:

(1) The procedure to be followed;

(2) The disposition of the rejected articles or portions thereof;

(3) That the operations are to be carried out under the supervision of an officer of the Food and Drug Administration or the Bureau of Customs, as the case may be;

(4) A time limit, reasonable in the light of the circumstances, for completion of the operations; and

(5) Such other conditions as are necessary to maintain adequate supervision and control over the article.

(b) Upon receipt of a written request for extension of time to complete such operations, containing reasonable grounds therefor, the chief of district may grant such additional time as he deems necessary.

(c) An authorization may be amended upon a showing of reasonable grounds therefor and the filing of an amended application for authorization with the chief of district.

(d) If ownership of an article covered by an authorization changes before the operations specified in the authorization have been completed, the original owner will be held responsible, unless the new owner has executed a bond and obtained a new authorization. Any authorization granted under this section shall supersede and nullify any previously granted authorization with respect to the article.

§ 1.321 *Bonds.* The bonds required under section 801 (b) of the act may be executed by the owner or consignee on the appropriate form of a customs single-entry or term bond, containing a condition for the redelivery of the merchandise or any part thereof upon demand of the collector of customs and containing a provision for the performance of conditions as may legally be imposed for the relabeling or other action necessary to bring the article into compliance with the act or rendering it other than a food, drug, device, or cosmetic, in such manner as is prescribed for such bond in the customs regulations in force on the date of request for authorization. The bond shall be filed with the collector of customs.

§ 1.322 *Costs chargeable in connection with relabeling and reconditioning inadmissible imports.* The cost of supervising the relabeling or other action in connection with an import of food, drugs, devices, or cosmetics which fails to comply with the Federal Food, Drug, and Cosmetic Act shall be paid by the owner or consignee who files an application requesting such action and executes a

[1] For a list of districts of the Food and Drug Administration, see the FEDERAL REGISTER of November 27, 1948 (13 F. R. 6983).

bond, pursuant to section 801 (b) of the act, as amended. The cost of such supervision shall include, but not be restricted to, the following:

(a) Travel expenses of the supervising officer.

(b) Per diem in lieu of subsistence of the supervising officer when away from his home station, as provided by law.

(c) Services of the supervising officer, to be calculated at a flat rate of $3.00 per hour (which shall include administrative expense), except that such services performed by a customs officer and subject to the provisions of section 5 of the act of February 13, 1911, as amended (19 U. S. C. 267), shall be calculated as provided in that act.

(d) Services of analyst, to be calculated at a flat rate of $3.50 per hour (which shall include the use of the chemical laboratories and equipment of the Food and Drug Administration).

(e) The minimum charge for services of supervising officers and of analysts shall be not less than the charge for 1 hour, and time after the first hour shall be computed in multiples of 1 hour, disregarding fractional parts less than ½ hour.

Effective date. This order shall become effective on the date of publication in the FEDERAL REGISTER.

Notice and public proceedings are not necessary prerequisites to the promulgation of this order for the reason that they establish rules of agency procedure and practice.

Dated: April 25, 1951.

OSCAR R. EWING,
Federal Security Administrator.

[SEAL] JOHN S. GRAHAM,
Acting Secretary of Treasury.

[F. R. Doc. 51-6009; Filed May 24, 1951; 8:45 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter C—Federal Savings and Loan System

[No. 4280]

PART 145—OPERATIONS

UNSECURED LOANS, PERMITTING LARGER LOANS GUARANTEED OR INSURED BY FEDERAL HOUSING ADMINISTRATION OR VETERANS' ADMINISTRATION

MAY 21, 1951.

Resolved that, pursuant to Part 108 of the General Regulations of the Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1) notice and public procedure having been duly afforded (16 F. R. 3195), paragraph (b) of § 145.8 of the rules and regulations for the Federal Savings and Loan System (24 CFR 145.8 (b)) is hereby amended, effective May 25, 1951, to read as follows:

(b) Simple-interest, discount, or gross-charge loans for property alteration, repair, or improvement (except business loans provided by section 503 of the Servicemen's Readjustment Act of 1944, as now or hereafter amended, and not secured by lien on real estate) without the security of a lien upon such property: *Provided*, That:

(1) The net proceeds of any such loan do not exceed $1,500;

(2) The property is located in such association's regular lending area as defined in § 145.6-6;

(3) Each such loan is evidenced by one or more negotiable notes, bonds, or other written evidences of debt;

(4) The resulting aggregate amount of all such loans does not exceed an amount equal to 15 percent of such association's assets;

(5) Each such loan is repayable in regular monthly installments within a period of 5 years;

And provided further, That any such loan for property alteration, repair, or improvement that is accepted for insurance under the provisions of the National Housing Act, as now or hereafter amended, or for insurance or guarantee under the provisions of the Servicemen's Readjustment Act of 1944, as now or hereafter amended, may be made for such amount and repayable upon such terms and within such period as are acceptable to the insuring or guaranteeing agency: *Provided*, That no Federal association may make any unsecured loan to a director, officer, or employee of the association, or to any person or firm regularly serving the association in the capacity of attorney-at-law, except for the alteration, repair, or improvement of the home or combination of home and business property owned and occupied by such borrowing director, officer, employee, attorney, or firm.

Resolved that, the effect of this amendment being to relieve a restriction upon the lending powers of Federal savings and loan associations, deferment of the effective date of such amendment is not required, and it shall become effective upon the date of publication thereof in the FEDERAL REGISTER.

(Secs. 4, 5, 48 Stat. 129, 132, as amended, Reorg. Plan No. 3 of 1947, 12 F. R. 4981, 3 CFR, 1947 Supp., 61 Stat. 954; 12 U. S. C. and Sup., 1463, 1464; 5 U. S. C. Sup., 133y—16 note)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 51-6030; Filed, May 24, 1951; 8:47 a. m.]

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 377]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent. Reg., Amdt. 372]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA, ILLINOIS, AND MICHIGAN

Amendment 377 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 372 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 38, is amended to describe the counties in the Defense-Rental Area as follows:

San Francisco County; San Mateo County, except the Cities of Belmont, Burlingame, Daly, Menlo Park, Millbrae, Redwood City, San Carlos, South San Francisco, San Mateo, San Bruno, the Community known as Lomita Park which is adjacent to said City of San Bruno, and the Town of Atherton; and Sonoma County, except (i) the Cities of Healdsburg, Santa Rosa and Sebastopol, (ii) the Judicial Townships of Redwood and Sonoma (including the City of Sonoma) and (iii) that portion of Analy Judicial Township lying west of the Monte Rio-Valley Ford Highway and lying between Redwood Judicial Township on the north and the northern line of Marin County on the South.

This decontrols the City of Daly in San Mateo County, California, a portion of the San Francisco Bay, California, Defense-Rental Area.

2. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the Cities of Blue Island, Des Plaines and Park Ridge, and the Villages of Lansing, Mt. Prospect, Palatine, Riverdale, Westchester and Winnetka; Du Page County; Kane County; and Lake County, except the City of Lake Forest.

This decontrols (1) the City of Lake Forest in Lake County, Illinois, and (2) the City of Park Ridge and the Villages of Lansing, Palatine and Riverdale in Cook County, Illinois, portions of the Chicago, Illinois, Defense-Rental Area.

(3) Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Groveland, Highland, Holly, Independence, Milford, Oakland, Orion, Oxford, Rose, Springfield, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Birmingham, Bloomfield Hills, Farmington, Ferndale, Hazel Park, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Grosse Pointe, Grosse Pointe Farms and Plymouth, (ii) the Villages of Grosse Pointe Shores, Trenton and Wayne, and (iii) that portion of the Village of Northville located in Wayne County; and Macomb County, except the City of Mount Clemens, and the Townships of Armada, Bruce, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

In Washtenaw County, the Township of Ann Arbor and the City of Ann Arbor.

This decontrols the Townships of Avon, Commerce and Waterford in Oakland County, Michigan, portions of the Detroit, Michigan, Defense-Rental Area.

4. Schedule A, Item 156, is amended to describe the counties in the Defense-Rental Area as follows:

In St. Clair County, the Townships of Clay, Cottrellville and Ira, the Village of Algonac, and that portion of the City of New Baltimore which lies within St. Clair County.

This decontrols the City of Marine City in St. Clair County, Michigan, a portion of the Port Huron, Michigan, Defense-Rental Area.

All decontrols effected by this amendment are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective as of May 25, 1951.

Issued this 22d day of May 1951.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 51-6033; Filed, May 24, 1951; 8:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5841]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

INVOLUNTARY LIQUIDATION AND REPLACEMENT OF INVENTORIES ACCOUNTED FOR ON LAST-IN FIRST-OUT BASIS

On October 13, 1950, notice of proposed rule making regarding the amendment of Regulations 103 (Part 19) and 111 (Part 29) to conform to Public Law 756, 81st Congress, approved September 5, 1950, was published in the FEDERAL REGISTER (15 F. R. 6891). After consideration of all relevant matter presented by interested persons regarding the proposed amendments, the following amendments are hereby adopted:

PARAGRAPH 1. There is inserted immediately preceding § 19.22 (d)-1, as last amended by Treasury Decision 5756, approved November 2, 1949 (26 CFR 19.22 (d)-1), the following:

PUBLIC LAW 756, 81ST CONGRESS, APPROVED SEPTEMBER 5, 1950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section 22 (d) (6) (A) (relating to the involuntary liquidation and replacement of elective inventories) is hereby amended as follows:

(1) By amending that portion thereof preceding clause (i) to read as follows:

(A) *Adjustment of net income and resulting tax.* If, for any taxable year beginning after December 31, 1940, and prior to January 1, 1948, the closing inventory of a taxpayer inventorying goods under the method provided in this subsection reflects a decrease from the opening inventory of such goods for such year, and if the taxpayer elects, at such time and in such manner and subject to such regulations as the Commissioner with the approval of the Secretary may prescribe, to have the provisions of this paragraph apply, and if it [is] established to the satisfaction of the Commissioner, in accordance with such regulations, that such decrease is attributable to the involuntary liquidation of such inventory as defined in subparagraph (B), and if the closing inventory of a subsequent taxable year, ending prior to January 1, 1951, reflects a replacement, in whole or in part, of the goods so previously liquidated, the net income of the taxpayer otherwise determined for the year of such involuntary liquidation shall be adjusted as follows:

(b) The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1940.

PAR. 2. Section 19.22 (d)-7, as added by Treasury Decision 5199, approved December 10, 1942, and amended by Treasury Decisions 5364, approved April 29, 1944, and 5645, approved July 20, 1948 (26 CFR 19.22 (d)-7), is further amended as follows:

(A) By striking from the second sentence of the first paragraph the following words: "at the time of filing his income tax return for the year of the liquidation (or, with respect to liquidations occuring in a taxable year beginning in 1941, at any time prior to August 26, 1944)", and by inserting in lieu thereof the following: "at any time not later than six months after the time of filing his income tax return for the year of the liquidation (or, with respect to liquidations occurring in a taxable year beginning in 1941, at any time prior to August 26, 1944)".

(B) By inserting immediately after the second sentence of the first paragraph the following: "(For extensions of time, see Subpart H of Regulations 111, as added by Treasury Decision 5391, approved July 14, 1944, and amended by Treasury Decision 5400, approved August 22, 1944.)".

(C) By striking from the first sentence of the fourth paragraph the following words: "at the time of filing his income tax return for the year reflecting the decrease, or, with respect to a taxable year beginning in 1941, prior to August 26, 1944", and by inserting in lieu thereof the following: "not later than six months after the time of filing his income tax return for the year reflecting the decrease, or, with respect to a taxable year beginning in 1941, prior to August 26, 1944."

(D) By inserting in the second sentence of the fourth paragraph, immediately after the words "the taxpayer shall attach to his return and make a part thereof", the following: ", or he shall furnish separately to the Commissioner,".

(E) By striking from the second sentence of the fourth paragraph, immediately preceding "(5)", the word "and"; by substituting a semicolon for the period at the end of such paragraph; and by adding to such paragraph the following: "and (6) in the case of an election made pursuant to an extension of time sought under Subpart H more than six months after the filing of the return for the year of liquidation, the circumstances relied upon as justifying the election at such time, together with a disclosure of the extent, if any, to which replacements have already been made."

(F) By striking from the first sentence of the fifth paragraph the following word: "prospective".

(G) By striking the first sentence of the eighth paragraph, and inserting in lieu thereof the following: "In some cases it may appear that, at the time of the filing of the income tax return for the year of replacement, or within three years thereafter, an adjustment with respect to the income or excess profits taxes for the year of the involuntary liquidation, or for some prior, intervening, or subsequent taxable year, is prevented by the running of the statute of limitations, by the execution of a closing agreement, by virtue of a court decision which has become final, or by reason of some other provision or rule of law other than section 3761 relating to compromises and other than the inventory replacement provisions."

PAR. 3. There is inserted immediately preceding § 29.22 (d)-1, as last amended by Treasury Decision 5756 (26 CFR 29.22 (d)-1), the following:

PUBLIC LAW 756, 81ST CONGRESS, APPROVED SEPTEMBER 5, 1950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 (d) (6) (A) (relating to the involuntary liquidation and replacement of elective inventories) is hereby amended as follows:

(1) By amending that portion thereof preceding clause (i) to read as follows:

(A) *Adjustment of net income and resulting tax.* If, for any taxable year beginning after December 31, 1940, and prior to January 1, 1948, the closing inventory of a taxpayer inventorying goods under the method provided in this subsection reflects a decrease from the opening inventory of such goods for such year, and if the taxpayer elects, at such time and in such manner and subject to such regulations as the Commissioner with the approval of the Secretary may prescribe, to have the provisions of this paragraph apply, and if it [is] established to the satisfaction of the Commissioner, in accordance with such regulations, that such decrease is attributable to the involuntary liquidation of such inventory as defined in subparagraph (B), and if the closing inventory of a subsequent taxable year, ending prior to January 1, 1951, reflects a replacement, in whole or in part, of the goods so previously liquidated, the net income of the taxpayer otherwise determined for the year of such involuntary liquidation shall be adjusted as follows:

(b) The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1940.

PAR. 4. Section 29.22 (d)-7, as last amended by Treasury Decision 5645 (26 CFR 29.22 (d)-7), is further amended as follows:

(A) By inserting in the second sentence of the first paragraph, immediately after the words, "If the taxpayer notifies the Commissioner at", the following: "any time not later than six months after".

(B) By inserting immediately after the second sentence of the first paragraph the following: "(For extensions of time, see Subpart H, as added by Treasury Decision 5391, approved July 14, 1944, and amended by Treasury Decision 5400, approved August 22, 1944.)".

(C) By striking from the first sentence of the fourth paragraph the following words: "at the time of filing his income tax return", and by inserting in lieu thereof the following: "not later than six months after the time of filing his income tax return".

(D) By inserting in the second sentence of the fourth paragraph, immedi-

ately after the words "the taxpayer shall attach to his return and make a part thereof", the following: ", or he shall furnish separately to the Commissioner,".

(E) By striking from the second sentence of the fourth paragraph, immediately preceding "(5)", the word "and"; by substituting a semicolon for the period at the end of such paragraph; and by adding to such paragraph the following: "and (6) in the case of an election made pursuant to an extension of time sought under Subpart H more than six months after the filing of the return for the year of liquidation, the circumstances relied upon as justifying the election at such time, together with a disclosure of the extent, if any, to which replacements have already been made."

(F) By striking from the first sentence of the fifth paragraph the following word: "prospective".

(G) By striking the first sentence of the eighth paragraph and inserting in lieu thereof the following: "In some cases it may appear that, at the time of the filing of the income tax return for the year of replacement, or within three years thereafter, an adjustment with respect to the income or excess profits taxes for the year of the involuntary liquidation, or for some prior, intervening, or subsequent taxable year, is prevented by the running of the statute of limitations, by the execution of a closing agreement, by virtue of a court decision which has become final, or by reason of some other provision or rule of law other than section 3761 relating to compromises and other than the inventory replacement provisions."

(53 Stat. 32, 467; 26 U. S. C. 62, 3791. Interprets or applies 53 Stat. 9; 26 U. S. C. 22)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: May 22, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-6050; Filed, May 24, 1951; 8:51 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 516—RECORDS TO BE KEPT BY EMPLOYERS

INDUSTRIAL HOMEWORKERS

EDITORIAL NOTE: In Federal Register Document 51-5115, appearing at page 3888 of the issue for Thursday, May 3, 1951, the following correction has been made in the original document:

In § 516.21 (a) (3), the words "meaning of the" were inserted immediately preceding the word "terms", so that subparagraph (3) reads as follows:

(3) The meaning of the terms "person," "employ," "employer," "employee," "goods," and "production" as used in this section is the same as in the act.

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

TRAINING CAMPS

Part 562 is amended by rescinding §§ 562.58 through 562.69 and substituting the following §§ 562.58 through 562.67 in lieu thereof:

Sec.
562.58 Establishment, supervision, and command.
562.59 Number, type, and location of camps.
562.60 Designation.
562.61 Time and duration.
562.62 Attendance.
562.63 Deferred attendance.
562.64 Absence from camp.
562.65 Pay and allowances.
562.66 Transportation.
562.67 Dismissal and withdrawal from camp.

AUTHORITY: §§ 562.58 to 562.67 issued under sec. 34, 41 Stat. 778; 10 U. S. C. 441.

SOURCE: §§ 562.58 to 562.64 contained in AR 145-30, Apr. 13, 1951 and §§ 562.65 to 562.67 contained in SR 145-30-1, Apr. 13, 1951.

TRAINING CAMPS

§ 562.58 *Establishment, supervision, and command.* Continental army commanders and appropriate oversea commanders will establish and conduct ROTC training camps within their areas as directed by higher authority (§ 562.59). These commanders are responsible for the operation, training, supply, and administration of all such camps within the geographical boundaries of their respective areas. When any of the administrative or technical service ROTC training camps are located on class II installations, continental army commanders will be assisted by the heads of the corresponding services; and when service-type ROTC training camps are conducted at the sites of the service schools, continental army commanders will coordinate all matters pertaining thereto with the heads of the services concerned.

§ 562.59 *Number, type, and location of camps.* (a) The number, type, and location of camps will be determined by the Chief, Army Field Forces, and the appropriate oversea commanders concerned, with the approval of the Department of the Army, at least 6 months prior to the opening date of such camps.

(b) The only camps provided for by §§ 562.58 to 562.67 are advanced course camps. The Department of the Army does not maintain camps for the instruction of students in the junior division or for students at class MI institutions, as such. Nevertheless, where such camps are maintained by institutions, the personnel and equipment allotted to such institutions may be used for this purpose, provided such use does not obligate the Government financially beyond the normal cost of maintenance of this personnel and equipment at the institution.

§ 562.60 *Designation.* Camps will be designated: "The Fort ---------- ROTC Camp," "The Camp ---------- ROTC Camp," etc.

§ 562.61 *Time and duration.* Ordinarily, camps will open in June of each year (as soon as practicable after the closing date of educational institutions concerned) and will continue for a period of 6 weeks.

§ 562.62 *Attendance.* (a) The Department of the Army will prescribe the number of students in each continental army area and oversea command to attend camps annually.

(b) Students in scientific and technical courses, whose services will be needed in, and who wish to be commissioned in branches not represented by units on their campuses, may be authorized by continental army commanders to attend ROTC camps of the appropriate branches; provided such students are enrolled in academic courses prerequisite to enrollment in advanced ROTC as prescribed by Department of the Army publications.

(c) Camp attendance is required of, and open to, students as indicated in this paragraph:

(1) Attendance at one camp is required of students enrolled in the advanced course, normally upon completion of their first year of the advanced course unless camp deferment was granted to a subsequent year under one of the provisions of § 562.63.

(2) Students who are required or who elect to pursue technical training or engage in employment in furtherance of such training during the summer following their junior academic year, under the general supervision of the authorities of the institution, may be authorized by appropriate commanders to attend camp upon completion of the advanced course. Such commanders are authorized to forward to the Department of the Army, for consideration, cases of exceptional merit not specifically covered by this subparagraph and subparagraph (3) of this paragraph.

(3) Students, who, after completion of the basic course, have but one more year before graduation from collegiate institutions, and for whom curtailment of the advanced course under § 562.29 is authorized, may be permitted by the continental army or oversea commander to attend camp upon completion of the advanced course.

(4) Students who have completed the freshmen academic year without participation in the ROTC program during that academic year, but who have received credit for the basic course under section 47c, National Defense Act, as amended, and the joint resolution of September 8, 1916 (39 Stat. 853; 10 U. S. C. 388), may become enrolled in the advanced course upon signing advanced course contracts, and, upon their agreeing in writing to attend ROTC camp.

(5) Students pursuing the ROTC course under § 562.27, may be authorized by continental army or oversea commanders to attend an ROTC camp without expense to the Government other other than payment for attendance as authorized by section 47c, National Defense Act. The conditions of attendance

will be explained to each student and he will be required to sign a waiver of claim against the United States for any allowance whatsoever based on such attendance, except for payment under section 47c, National Defense Act, as amended.

(6) Institutions desiring to send nonveteran students of senior division ROTC units to training camp after completion of the basic course will be required to secure approval to do so from the continental army commander concerned, prior to the close of the school year.

(d) When the number of students that can be trained is such that all cannot be accommodated, selection for camp training will be made by the continental army commander with priority in the following order:

(1) Advanced course students to whom deferred camp attendance was granted the previous year.

(2) Students compelled to withdraw from a previous camp under the conditions cited in subparagraph (3) of this paragraph.

(3) Advanced course students attending at the normal time, i. e., after satisfactory completion of the first year of the advanced course.

(4) Students pursuing the ROTC course under § 562.27 authorized to attend.

(e) Students will not be authorized to attend more than one camp, except in the following cases:

(1) When the student was compelled to withdraw from a camp previously attended and was unable to complete the camp course of instruction because of sickness or cause other than misconduct, fault, or neglect on his part.

(2) When the student, after attending camp, has transferred to a unit of a branch of service other than that of the camp previously attended.

(3) When authorized by the Secretary of the Army, in exceptional cases. In these cases the student, if eligible, will be required to attend the next camp of his unit in accordance with the provisions of his advanced course contract.

(f) Exemption of members of the advanced course from the required camp attendance or the extension of credit toward such attendance for previous military training is not authorized.

(g) The attendance under contract at ROTC training camp of ROTC students who have not completed the 2 years' basic course or received credit therefor is not legally authorized.

§ 562.63 *Deferred attendance.* (a) Continental army and oversea commanders are authorized to grant deferments from camp attendance when it is not practicable for an advanced course student to attend camp until after the normal period, subject to the following procedure:

(1) Written application, setting forth reasons for deferment will be prepared by the student and forwarded to the professor of military science and tactics.

(2) The professor of military science and tactics either will approve or disapprove the request, with reasons therefor, and forward application, by indorsement, to the appropriate commander.

(b) Deferment from advanced camp attendance from a normal period to a period subsequent to graduation will not be authorized unless the reasons given are considered substantial.

(c) A student will not be permitted to defer his attendance at a training camp beyond that immediately following his graduation unless he is physically unable to attend that camp. Evidence of disability, in the form of a certificate by a reputable physician, will accompany application for deferment.

(d) Requests for deferment from attendance at the camp which immediately follows graduation, for reasons other than indicated in paragraph (c) of this section, will be forwarded to the Department of the Army, Washington 25, D. C., Attention: AGAO–R, for final approval.

§ 562.64 *Absence from camp.* (a) A student who fails to receive at least 85 percent of the total scheduled instruction will not be credited with camp attendance nor will he be considered as fulfilling that part of his advanced course contract which requires camp attendance (see paragraph (b) (3) of this section).

(b) Authority to be absent from camp may be granted under the following circumstances by commanders indicated:

(1) For cogent reasons continental army and oversea commanders may, in each particular case, authorize a short delay in arrival, which in no event will extend beyond the fifth day of training.

(2) In exceptional cases when hardship would otherwise ensue, ROTC camp commanders, in each particular case, may authorize students to be absent from camp for short periods not exceeding 15 percent of total scheduled camp instruction.

(3) Waivers to the provisions of paragraph (a) of this section may be granted in exceptional cases by the Chief, Army Field Forces, and appropriate oversea commanders.

§ 562.65 *Pay and allowances.* (a) Members of the ROTC or other persons authorized by the Secretary of the Army to attend advanced camps shall be paid for attendance at such camps at the rate prescribed for enlisted men of the first grade (E–1) with less than 4 months' service of the Regular Army.

(b) The veteran trainee may be authorized subsistence allowance in the amounts to which he is ordinarily entitled and subject to the $210–$270–$280 limiting proviso of the act of May 4, 1948 (Pub. Law 512, 80th Cong.) while in approved leave status from his place of training. Such leave may be used to attend ROTC camp or for any purpose. It is considered that a trainee does not pursue his regular course of education or training for the period of summer Reserve officer training and, therefore, he will not be paid subsistence for this period, unless he has sufficient accrued leave for which he has applied to cover this period of training.

§ 562.66 *Transportation*—(a) *Transportation authority.* (1) Students normally will be authorized to proceed to designated camps from their institutions, or from their legal residences where the distances from such residences to the camps do not exceed the distances from their institutions to the camps, and to return thereto, by the shortest usually traveled route.

(2) In exceptional circumstances, continental army and oversea commanders may:

(i) Authorize a student to proceed to the camp designated for his unit from his legal residence when the distance from such residence to the camp is greater than from the institution to the camp. This authorization will be given only to students whose institutions close so early in the year as to make it impracticable for them to proceed direct from the institution to the camp. If orders are issued to a student while he is at home authorizing him to proceed to ROTC training camp, he shall be returned to his home at the completion of training. If orders are issued while he is at the institution, he shall be returned to his institution.

(ii) In the interest of economy, authorize a student to attend a camp of a branch of service other than the camp prescribed for his unit. If the camp to be attended is beyond the territorial limits of the army area in which the institution of the student is located, the camp attendance will be arranged by the continental army or oversea commanders concerned, by direct correspondence.

(b) *Travel allowances.* (1) Members of the ROTC will be paid travel allowances at the rate of 5 cents a mile from the place which the students are authorized to proceed to camp and for the return travel thereto. Payment of the travel allowance for the return journey may be made in advance of the actual performance thereof. DD Form 5 (Voucher for Reimbursement of Travel Allowances and Payroll for Reserve Officers' Training Corps) will be used as a voucher for payment of travel allowances, and copies of orders will be filed therewith.

(2) Return travel allowance is not due to a student until the close of camp. The commanding officer will pay travel allowances to a student upon dismissal or withdrawal if determined by him that such advanced payment is proper and desirable for the good of the service. However, the commanding officer is authorized to withhold travel allowance until the termination of the camp, if he determines such course advisable. Students who are returned to their homes from summer camps because of being physically disqualified will be paid travel allowances for the return trip prior to departure from camp.

(3) The shortest, usually traveled route will be the basis of calculation for travel allowances. Travel allowances for members of the ROTC will be paid from the appropriation for ROTC.

(i) Order for travel to camp and return therefrom will be issued by continental army or oversea commanders, or such subordinate authority as they may designate.

(ii) In the case of a student authorized to attend a camp in an army area

other than that wherein the place from which he is directed to proceed is located, the travel order will be issued by the continental army commander of the area from which the student is directed to travel, and three copies of the order will be sent at once to the continental army commander of the appropriate area in which the camp to be attended is located for each student so ordered.

(c) *Students without funds.* Students unable to pay their own railroad fare may be authorized transportation in kind by continental army and overseas commanders; in which case orders issued will specifically state that transportation requests and meal tickets will be furnished. Transportation request and meal tickets will be forwarded to the student, with orders directing him to proceed to camp. Cost of this transportation and subsistence will be borne by ROTC funds allocated to continental army and oversea commanders.

§ 562.67 *Dismissal and withdrawal from camp*—(a) *Students who are dismissed from camp.* (1) Any student who because of demonstrated inaptitude, indifference to training, or who is guilty of misconduct, or whose habits or traits of character indicate that upon completion of the course of instruction prescribed for ROTC units he would not be qualified for a commission in the Officers' Reserve Corps will be dismissed from camp by the camp commander. Such action by the camp commander will be based upon a thorough and impartial investigation by a board of officers. A full report concerning the dismissal of the student, setting forth the reasons therefor, will be prepared in duplicate. The original will be forwarded to the continental army or oversea commander of the area in which the student's unit is located. The first copy will be forwarded to the authorities of the institution in which the student is enrolled.

(2) While dismissal from camp ordinarily will result in discharge from the ROTC, such discharge is not included in the dismissal. The professor of military science and tactics at the institution, after thorough investigation and examination of the report of dismissal, will recommend to the continental army or oversea commander, through the head of the institution, either that the student be discharged from the ROTC or that he, in an exceptional case, be retained therein. Upon action by the higher authority designated above, the professor of military science and tactics will take steps accordingly.

(b) *Students who withdraw from camp for their own convenience.* Any student who desires to withdraw from the camp for his own convenience will be interviewed by the camp commander, who will endeavor to persuade the student that it is to his advantage to complete the camp training. If the student persists in his desire, he will be permitted to withdraw. The notation, "permitted to withdraw from ---------- advanced ROTC camp on ----------
(Date)
for his own convenience," will be placed on the records of students who are permitted to withdraw for their own convenience. Students who withdraw for their own convenience will be advised that they will be required to refund all commutation of subsistence, so far received as a condition precedent to release from contract, and that in the discretion of the institutional authorities they may be required to refund to the institution the unearned portion of advanced course commutation of uniform allowance expended in their behalf.

(c) *Students who are compelled by necessity, not involving fault or misconduct, to withdraw from camp.* Any student who is compelled by necessity to leave camp through no fault or misconduct of this own may be permitted to withdraw by the commanding officer. Students who are permitted to withdraw from camp are entitled to transportation and subsistence as provided hereinafter.

(d) *Students who are discharged from camp for convenience of Government for failure to demonstrate qualities and attributes essential in commissioned officer.* If the student, having faithfully fulfilled the provisions of his contract, is discharged for the convenience of the Government because of failure to demonstrate the qualities and attributes essential in a commissioned officer he will not be required to refund to the Government allowances made to him for pay, subsistence, or travel, etc.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting Adjutant General.

[F. R. Doc. 51-6028; Filed, May 24, 1951; 8:47 a. m.]

Chapter XVII—Federal Civil Defense Administration

CIVIL DEFENSE REGULATIONS

The following regulations, which consist of Part 1700, Definitions, Part 1701, Contributions for Organizational Equipment, and Part 1703, Procedure for Stopping or Withholding Payments under section 201 (i) of the Federal Civil Defense Act of 1950, are hereby issued.

PART 1700—DEFINITIONS

AUTHORITY: §§ 1700.1 to 1700.12 issued under sec. 401, Pub. Law 920, 81st Cong.

§ 1700.1 *Meaning of terms.* Except as otherwise stated, the terms and abbreviations in §§ 1700.2 through 1700.12 shall have the meanings as defined therein when used in the regulations in this chapter.

§ 1700.2 *Act.* The Federal Civil Defense Act of 1950.

§ 1700.3 *Administration.* The Federal Civil Defense Administration.

§ 1700.4 *Administrator.* The Federal Civil Defense Administrator.

§ 1700.5 *Administrative expenses.* Expenses of a State and its political subdivisions incurred in the admininstration of State and local laws, ordinances, regulations and codes, including, but not limited to, salaries of officials and employees, traveling expenses, office rent, and office supplies.

§ 1700.6 *Civil defense.* The term "civil defense" means all those activities and measures designed or undertaken (a) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (b) to deal with the immediate emergency conditions which would be created by any such attack, and (c) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (1) measures to be taken in preparation for anticipated attack (including the establishment of appropriate organization, operational plans, and supporting agreement; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provisions of suitable warning systems; and, when appropriate, the non-military evacuation of civil population; (2) measures to be taken during attack (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communications); and (3) measures to be taken following attack (including activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexplored bomb reconnaissance; essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities).

§ 1700.7 *Facilities.* Buildings, shelters, utilities and land.

§ 1700.8 *FCDA.* Federal Civil Defense Administration.

§ 1700.9 *Materials.* Raw materials, supplies, medicines, equipment, component parts, technical information and processes necessary for civil defense.

§ 1700.10 *RFC.* Reconstruction Finance Corporation.

§ 1700.11 *State.* Any of the several States, the District of Columbia, the territories, and possessions of the United States.

§ 1700.12 *Critical target area.* Any area (including the central municipality and the surrounding metropolitan area) determined by the Administrator after consultation with the Secretary of Defense to be a critical target for an attack.

PART 1701—CONTRIBUTIONS FOR ORGANIZATIONAL EQUIPMENT

AUTHORITY: §§ 1701.1 to 1701.8 issued under sec. 401, Pub. Law 920, 81st Cong. Interpret or apply sec. 201, Pub. Law 920, 81st Cong.

§ 1701.1 *Purpose.* The purpose of the regulations in this part is to prescribe the procedures to be followed in applying for and making Federal contributions for the purchase of organizational equipment, and the conditions under which such contributions will be made.

§ 1701.2 *Definitions.* (a) Except as otherwise stated the following terms shall have the following meanings when used in the regulations in this part:

(1) *Organizational equipment.* Equipment (other than personal equipment) which the Administrator determines is necessary to a civil defense organization for civil defense purposes and which is of such a nature as to require the contribution of Federal funds, but not including items of equipment which the local community normally utilizes in combating local disasters except when required in unusual quantities dictated by the requirements of civil defense plans.

(2) *Standard items.* Items of equipment or materials for which specifications have been issued by the Administrator.

§ 1701.3 *Conditions of contributions.* (a) The Administrator will make contributions to States for organizational equipment subject to the following conditions:

(1) *Administrative expenses and personal equipment.* No contributions shall be made for State or local personnel or administrative expenses or for items of personal equipment for State or local workers.

(2) *Matching State funds.* The amounts authorized to be contributed to each State for organizational equipment shall be matched by such State from any source it determines is consistent with its laws. The making of an application for a contribution shall constitute an assurance by the State that funds to match the proposed Federal contribution are available.

(3) *Specifications.* Specifications for organizational equipment shall be approved by the Administrator.

(4) *Allocation of organizational equipment purchases.* The Administrator will allocate organizational equipment contributions, purchases and deliveries with respect to item, program, and area priorities as determined from time to time by him.

(5) *Distribution, use, maintenance, and disposal of organizational equipment.* Organizational equipment, when procured, will be distributed, used and maintained in accordance with such standards as the Administrator may prescribe. Such organizational equipment shall not be disposed of without the prior approval of the Administrator.

(6) *Inspection.* The Administrator or his representatives shall have access to organizational equipment at all times for the purpose of inspection.

(7) *Sale of organizational equipment.* In the event organizational equipment is sold or traded in on new equipment, the State will remit to FCDA, or credit FCDA with, a percentage of the selling price or trade-in allowance equal to the percentage of Federal contribution toward the original purchase price thereof.

(8) *Loyalty oath.* No request for organizational equipment shall be approved by the Administrator unless (i) the State law requires that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, which oath shall be substantially as follows:

I ----------, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegience to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of an affiliate of any organization, group or combination of persons that advocates the overthrow of the Government of the United States by force or violence.

or (ii) the State certifies that it has directed the State civil defense agency to require that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense, shall, before entering upon his duties, take such an oath in writing before a person authorized to administer oaths.

(9) *Failure to expend funds.* Where a State is to act as its own purchasing agent, the making of an application for a contribution shall constitute an assurance that, whenever the Administrator, after reasonable notice and opportunity for hearing, finds that the State has failed or is failing to expend funds in accordance with the terms and conditions of the Act or the Administrator's rules and requirements thereunder, all such findings shall be final, and the State shall have no claim or right of action against the Federal Government, the Administration, or any other agency of or individual employed by the Federal Government by reason of any action taken by the Administrator based on one or more of such findings.

§ 1701.4 *Estimate of needs for organizational equipment.* Each State desiring contributions for organizational equipment shall file with the Administrator an estimate of the needs of each of its municipalities or other political subdivisions for such equipment. Each such estimate shall be filed in duplicate on FCDA Form No. 102.[1] This estimate will not be considered as a commitment by the State, nor will final allocations be made by the Administrator on the basis thereof.

§ 1701.5 *Requests for contributions; signature; forms.* A request for a contribution for organizational equipment shall be signed by the Governor or by such other State officer as shall be duly authorized, in which latter case such officer's authority shall be on file with FCDA.

§ 1701.6 *Procurement of equipment involving Federal funds.* (a) No equipment for which a Federal contribution has been or is to be made shall be purchased without the approval of the Administrator. The Administrator ordinarily will arrange for the procurement of standard items of organizational equipment. The State will ordinarily procure non-standard items. The State may also, but only upon the prior approval of the Administrator, procure standard items, In determining whether a State may procure standard items, the Administrator shall consider the availability of defense production priorities, and evidence that applicable specifications are equal or superior to the specifications established by him.

(b) When a State procures organizational equipment, the amount of the Federal contribution shall not exceed the sum of 50 percent of what the Administrator would have paid had he purchased the equipment, plus 50 percent of the transportation.

§ 1701.7 *Approval of requests.* (a) Upon approval by the Administrator of a request for organizational equipment which he is to procure, an acknowledgment will be returned to the State, and the State may anticipate delivery, transportation prepaid to the nearest freight station, to the consignee specified in the request.

(b) Upon approval by the Administrator of a request for organizational equipment which the State is to procure, an acknowledgment will be returned to the State and the State may then undertake procurement.

(c) In the event the Administrator disapproves a request, he shall notify the State thereof in writing, giving a brief statement of his reasons for such disapproval.

§ 1701.8 *Billing and payment.* (a) When organizational equipment procured by the Administrator has been de-

[1] FCDA Form No. 102 calls for an estimate, by municipalities, of the needs for organizational equipment. The estimate is to be broken down by items. Information called for includes the name of each item, the item number, the quantity desired and the unit price. Copies of this form may be obtained from the Federal Civil Defense Administrator, Washington, D. C., from the several Regional Offices of the Federal Civil Defense Administration, and from the civil defense directors of each state.

livered to the State, the Administrator will invoice the State for the State's share, and the State shall make prompt payment, through the Administrator, to the Treasurer of the United States. The invoice shall also include one-half the cost of any procurement services billed to FCDA by other Federal agencies, but not including any FCDA administrative costs.

(b) When organizational equipment has been procured by a State, the State will submit an invoice to the Administrator. The invoice shall be in an amount not to exceed 50 percent of the sum of the cost of the equipment and the transportation charges.

PART 1703—PROCEDURE FOR STOPPING OR WITHHOLDING PAYMENTS UNDER SECTION 201 (i) OF THE FEDERAL CIVIL DEFENSE ACT OF 1950

Sec.
1703.1 Purpose.
1703.2 Notice of intention to withhold payments.
1703.3 Notice of hearing.
1703.4 Hearings.
1703.5 Withholding of payments.

AUTHORITY: §§ 1703.1 to 1703.5 issued under sec. 401, Pub. Law 920, 81st Cong. Interpret or apply sec. 201, Pub. Law 920, 81st Cong.

§ 1703.1 *Purpose.* The purpose of the regulations in this part is to establish, pursuant to section 201 (i) of the act, a procedure for withholding contributions for civil defense purposes.

§ 1703.2 *Notice of intention to withhold payments.* Whenever the Administrator has reason to believe that there has been a failure to expend funds in accordance with the terms and conditions governing a Federal contribution, he shall notify the State of such fact and of his intention to stop or withhold further contributions or payments unless the alleged failure is satisfactorily explained.

§ 1703.3 *Notice of hearing.* If within 5 days after the State receives the notice described in § 1703.2 the State requests the Administrator to hold a hearing, the Administrator will set the matter for hearing. The Administrator will give the State reasonable notice of the time and place of the hearing; of the terms and conditions which he has reason to believe have not been complied with in the expenditure of funds; and of the contributions and payments which he proposes to stop or withhold.

§ 1703.4 *Hearings.* Any hearing under this part shall be held before the Administrator or an officer designated therefor. The Administrator or such officer shall determine all matters with respect to the conduct of the hearing, but the State shall be given full opportunity to present its position.

§ 1703.5 *Withholding of payments.* (a) If after such hearing, or after opportunity therefor, the Administrator finds that there has been a failure to expend funds in accordance with the terms and conditions governing the Federal contribution, the Administrator will stop and withhold such contributions and payments as he may consider advisable until the failure to expend funds in accordance with said terms and conditions has been corrected or he is satisfied that there will no longer be any such failure.

(b) If within the 5-day period stated in § 1703.3 the State does not request a hearing, the Administrator may stop or withhold contributions and payments until he is satisfied that there will no longer be any failure to expend funds in accordance with terms and conditions governing a Federal contribution for an approved program or project.

NOTE: All record-keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

These regulations shall be effective on May 25, 1951.

MILLARD CALDWELL,
Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 51-6029; Filed, May 24, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 29, Correction]

CPR 29—PURE NICKEL SCRAP, MONEL METAL SCRAP, STAINLESS STEEL SCRAP, AND OTHER SCRAP MATERIALS CONTAINING NICKEL

CORRECTION

In F. R. Doc. 51-5283 (16 F. R. 3945) the second sentence of section 3 (b) (3) (i) reading: "This percentage shall not be applied to any brokerage commission" is corrected to read as follows: "This percentage shall not be applied to any preparation premium."

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

MICHAEL V. DISALLE,
Director of Price Stabilization.

MAY 24, 1951.

[F. R. Doc. 51-6124; Filed, May 24, 1951; 10:24 a. m.]

[Ceiling Price Regulation 31, Amdt. 2]

CPR 31—IMPORTS

BURLAP 1008

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 31 is made necessary by the issuance of Ceiling Price Regulation 40 [1] which establishes ceiling prices on purchases and sales of burlap of certain specified constructions. Ceiling price Regulation 31 excepts from its coverage certain commodities including burlap as described in paragraph 1008 of the current U. S. Tariff Schedule as published by the U. S. Tariff Commission.

The effect of this amendment is that burlap of constructions other than those specified in Ceiling Price Regulation 40 will be covered by Ceiling Price Regulation 31.

AMENDATORY PROVISIONS

Ceiling Price Regulation 31 is amended in the following respect: Delete from Appendix A thereof "Burlap 1008"

(Sec. 704 Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950; 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This amendment shall become effective May 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

MAY 24, 1951.

[F. R. Doc. 51-6122; Filed, May 24, 1951; 10:24 a. m.]

[Ceiling Price Regulation 40]

CPR 40—BURLAP

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 40 is hereby issued.

STATEMENT OF CONSIDERATIONS

Burlap, a wholly imported commodity, is a coarse woven cloth produced from jute fiber and is widely used in the United States for packaging feed, fertilizer, and agricultural and industrial products, and in the manufacture of automobiles, furniture, floor covering and other goods. In recent years this country's annual consumption of burlap has averaged about 800,000,000 yards. Most of the world's supply of jute fiber is grown in Pakistan and made into burlap in mills located in and around Calcutta, India. These Indian mills produced 95.5 percent of the burlap imported into the United States in 1949 and 86.6 percent of it in 1950.

During World War II the price of burlap was controlled by OPA Revised Price Schedule 18, which was issued August 15, 1941. Ceiling prices for the fabric were continued in effect both here and in India until October 1946. For a portion of this time the United States Government, under a government purchase and allocation program, was the sole importer of burlap.

In September 1949 Great Britain devalued the pound and India, in an accompanying action, devalued its rupee. Pakistan, however, did not devalue its currency. Since India refused to recognize the par value of the Pakistan rupee, trade between the two countries came to a virtual standstill. Among other things, this caused a substantial curtailment of the amount of raw juice

[1] See F. R. Doc 51-6123, *infra.*

available to the Indian mills, which were thus made almost wholly independent on India's own insufficient jute crop.

In an effort to forestall the inflationary effects of this situation, India in October 1949 again established ceiling prices for jute and jute products. From that time until the middle of 1950, resale prices of burlap in this country, while necessarily above the cost predicated on Indian ceilings, were relatively stable. In the second half of 1950 increased demands for burlap and the continuing shortage of jute in India combined to raise the resale prices of burlap in this country and elsewhere to unprecedented levels. India thereupon sought ways to close the gap between such prices and its ceiling and thus relieve the heavy pressure on its controls. In furtherance of this objective, India doubled the export duty on burlap in October 1950 and again in November 1950.

On February 25, 1951, India and Pakistan settled their 17-month trade impasse by an agreement in which India recognized the Pakistan rupee at par and Pakistan agreed to sell India a quantity of jute at Pakistan's going market prices. This meant that the mills would have to pay more for jute and that India would have to raise its ceiling prices or abandon its controls. On March 9, 1951, India decontrolled jute and jute goods and the prices of both immediately shot upward. In fact, burlap's landed (ex-dock) cost in the United States rose above the resale ceilings established for most of its importers by the General Ceiling Price Regulation. At the time India decontrolled, the landed cost of 40-inch, 10-ounce burlap (one of the most popular constructions used in this country) was about 23 cents per yard. Thereafter, it went as high as approximately 38 cents per yard. While the landed cost of this construction has since experienced some decline and has tended to stabilize in a range between 32 cents and 33 cents per yard, it remains above the GCPR ceiling of most importers. The same is true as to landed costs of other burlap constructions.

These conditions have made it impossible for most importers to resell burlap, and for many importing manufacturers to supply burlap bags and related items, without incurring loss. They have greatly reduced the trading in burlap and have limited new sales of burlap products to negligible quantities. A primary purpose of this regulation is to alleviate this situation.

The ceiling prices hereby fixed are generally in line with the present level of prices for burlap landed in the United States. In determining such ceilings the following factors, among others, were taken into consideration: (1) India's ceiling prices up to March 9, 1951, the date it abandoned controls; (2) increases since then in the cost of raw jute to the Indian mills; (3) market prices of burlap prevailing in India and elsewhere since March 9, 1951; (4) the pressing demand for burlap in this country to supply agricultural, industrial, and other needs; (5) the current Indian export duty and the current costs of importation into the United States; and (6) the dollars-and-cents markup customarily received by importers in the pre-Korean period on sales of more than 25 bales and of less than that amount. For most burlap constructions 25 bales constitute, roughly, a carload shipment.

This regulation establishes dollars-and-cents ceiling import purchase prices for burlap of specified constructions, and a method for computing ceiling prices for sales of burlap after importation. The ceilings for sales after importation of 25 bales or more are computed under the regulation by adding to the ceiling import purchase prices an amount equal to 3 percent of such prices. With respect to sales of less than 25 bales, a 6 percent factor is used to determine the ceiling price for lots of 1 bale, and customary differentials are applied thereto to determine ceiling prices for other small quantities up to 25 bales. These factors represent a translation into percentages of the customary dollars-and-cents markups received by importers. They accomplish uniformity and provide an easy method of computing the applicable ceiling prices for post-import sales and purchases. The regulation also provides that, under certain conditions, it shall not operate to prevent the performance of written contracts for the sale of burlap which comply with the General Ceiling Price Regulation. Constructions not covered by this regulation constitute a relatively small proportion of the total quantity of burlap imported into the United States and are not comparable to the listed constructions. Ceiling prices for these are to be determined under CPR 31, Imports.

In formulating this regulation the Director, to the extent practicable under the circumstances, has consulted with representative members of the industry. It was their opinion that the level of ceiling prices hereby established would have a stabilizing effect and would be instrumental in renewing the flow of burlap into this country. The Director has given consideration to this opinion and to the recommendations of said industry members.

In the judgment of the Director, based upon an analysis of the presently available data, the provisions of this regulation and the ceiling prices established are generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950. A more comprehensive analysis may indicate that lower prices also are generally fair and equitable and would more effectively accomplish the purposes of Title IV of the act. If this proves to be the case, the Director stands ready to make such revisions as may appear to be warranted.

REGULATORY PROVSIONS

Sec.
1. What this regulation does.
2. Applicability.
3. Ceiling import purchase prices.
4. Ceiling prices for sales after importation of listed constructions.
5. Ceiling prices for sales of constructions not listed.
6. [Reserved.]
7. Prohibitions.
8. Exemption of certain contracts.
9. Evasion.
10. Penalties.
11. Records.
12. Petitions for amendment.
13. Definitions.

AUTHORITY: Sections 1 to 13 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation fixes dollars-and-cents ceiling prices for purchases of burlap by buyers who import it into the United States, and establishes a method for determining ceiling prices for sales of burlap after its importation. These ceiling prices supersede those established for purchases and sales of burlap under the General Ceiling Price Regulation.

SEC. 2. *Applicability.* This regulation is applicable in the 48 states of the United States and the District of Columbia.

SEC. 3. *Ceiling import purchase prices.* You may not pay for burlap of the constructions listed in Appendix A, which you import into and receive in the United States, a price in excess of the ceiling prices specified in said appendix. Such prices are in cents per yard, landed U. S. A., ex dock port of discharge, duty paid.

SEC. 4. *Ceiling prices for sales after importation of listed constructions*—(a) *Sales of 25 bales or more.* You may not, after importation, sell burlap of the constructions specified in Appendix A in quantities of 25 bales or more at a price in excess of the ceiling import purchase price for the particular construction, as set forth in said appendix, plus three percent (3%) of the ceiling import purchase price. The ceiling prices so established are in cents per yard, ex dock or ex warehouse port of discharge, duty paid. The ceiling prices for sales of burlap other than ex dock or ex warehouse port of discharge shall not exceed the ceiling prices above established plus actual transportation costs.

(b) *Sales of less than 25 bales.* You may not, after importation, sell burlap of the constructions specified in Appendix A in quantities of less than 25 bales at a price in excess of the ceiling import purchase price for the particular construction, as set forth in said appendix, plus the following markup: (1) For lots of one (1) bale, six percent (6%) of the applicable ceiling import purchase price; (2) for quantities larger than one bale but less than 25 bales, determine your one bale ceiling price in accordance with subparagraph (1) of this paragraph and then reduce that price by applying the dollars-and-cents differentials for quantity which you had in effect during the period January 1, 1950, to June 24, 1950; (3) for quantities smaller than one (1) bale, use your one bale ceiling price determined in accordance with subparagraph (1) of this paragraph, to which you may add the dollars-and-cents differential for quantity which you had in effect during the period January 1, 1950, to June 24, 1950. The ceiling prices established under subparagraphs (1), (2) and (3) of this paragraph are in cents per yard, ex dock or ex warehouse port of dis-

charge, duty paid. For sales of burlap ex warehouse other than port of discharge, you may add your dollars-and-cents differentials for location which you had in effect during the period January 1, 1950, to June 24, 1950. To the above ceiling prices you must apply your customary differentials including the discounts for class of purchaser which you had in effect during the period January 1, 1950, to June 24, 1950.

SEC. 5. *Ceiling prices for sales of constructions not listed.* Ceiling prices for sales of burlap constructions other than those listed in Appendix A to this regulation must be determined under Ceiling Price Regulation 31, Imports.

SEC. 6. [Reserved.]

SEC. 7. *Prohibitions.* On and after the effective date of this regulation, regardless of any contract or other obligation except as set forth in section 8 of this regulation: (a) You may not sell or deliver any burlap covered by this regulation at a price higher than the ceiling price, (b) no person in the course of trade or business may buy or receive any burlap covered by this regulation at a price higher than the ceiling price; and (c) you shall not agree, offer, solicit, or attempt to do anything prohibited in this regulation.

Prices lower than the ceiling prices established by this regulation may, of course, be charged, demanded, paid or offered.

SEC. 8. *Exemption of certain contracts.* Nothing in this regulation shall operate to prevent the performance of a written contract for the sale of burlap entered into prior to the effective date of this regulation and executed in strict compliance with the provisions of the General Ceiling Price Regulation, provided (a) that such contract covers burlap which the seller, as of the date of the contract, had in inventory or under purchase commitment, and (b) that such contract covers a specified quantity of a particular construction or constructions at a fixed price per unit.

SEC. 9. *Evasion.* You shall not evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the purchase, sale, delivery, or transfer of burlap or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding or otherwise.

SEC. 10. *Penalties.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Defense Production Act of 1950.

SEC. 11. *Records.* If you purchase or sell burlap for which ceiling prices are established by this regulation you must preserve and keep available for inspection by the Director of Price Stabilization for a period of two years, complete and accurate records for each purchase and sale. These records must include: (a) The date of the sale or purchase; (b) the name and address of the seller or purchaser; (c) the price paid or received; (d) a description of the burlap sold or purchased including quality, width and weight per yard of 40-inch width; and (e) the quantity sold or purchased.

SEC. 12. *Petitions for amendment.* If you wish to have this regulation amended you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, 15 F. R. 9055.

SEC. 13. *Definitions.* (a) "Burlap" means jute burlap of the constructions listed in Appendix A.

(b) "Ceiling import purchase price" means the maximum price under this regulation at which you may import burlap of the constructions listed in Appendix A.

(c) "Class of purchaser" means the practice adopted by a seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, shopper, retailer, Government agency, public institutions or individual consumer) or for purchasers located in different areas or for purchasers of different quantities or grades or under different terms or conditions of sale or delivery.

(d) "Import" means to transport from a place outside the continental limits of the United States to a place inside the continental limits of the United States.

(e) Trade terms used in this regulation have the meanings generally accepted in the trade.

(f) All other terms used in this regulation shall, unless the context requires a different meaning, have the same meaning as when used in the General Ceiling Price Regulation.

Effective date. This regulation shall become effective on May 24, 1951.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

MAY 24, 1951.

APPENDIX A TO CEILING PRICE REGULATION NO. 40

[This appendix sets forth, with respect to the listed constructions, the ceiling prices for import purchases of burlap landed U. S. A., ex dock port of discharge, duty paid.]

Quality	Width (inches)	Weight (ounces per yard 40" width)	Cents per yard
Common burlap	38	5	15.95
	57	5	24.50
	58	5	24.95
	59	5	25.40
	60	5	25.80
	32	7	18.70
	36	7	20.80
	40	7	22.85
	45	7	25.70
	27	7½	17.15
	30	7½	18.85
	32	7½	19.95
	36	7½	22.20
	40	7½	24.45
	45	7½	27.50
	48	7½	29.35
	50	7½	30.60
	52	7½	32.80
	54	7½	34.05
	56	7½	35.30
Common burlap—Con.	60	7½	37.80
	72	7½	46.65
	27	8	18.30
	32	8	21.30
	36	8	23.70
	40	8	26.10
	45	8	29.40
	48	8	31.35
	54	8	36.35
	60	8	40.35
	32	9	23.90
	36	9	26.65
	40	9	29.35
	48	9	35.25
	27	10	22.45
	30	10	24.75
	32	10	26.25
	36	10	29.30
	37	10	30.05
	40	10	32.30
	45	10	36.35
	48	10	38.80
	50	10	40.40
	54	10	44.65
	60	10	49.60
	72	10	60.85
	36	10½	30.75
	40	10½	33.90
	40	11	35.50
	40	11½	37.15
	32	12	31.40
	36	12	35.10
	40	12	38.75
	45	12	43.60
	48	12	46.50
	60	12	59.55
	72	12	73.00
	40	14	45.20
	48	14	54.25
	48	16	62.00
Special finishes: Double calendered	36	10	30.00
	40	10	33.10
	36	10½	31.50
	40	10½	34.70
	40	11½	37.95
	40	12	39.55
	40	14	46.00
	48	11	43.60
High count (12 x 13)	36	10.4	35.10
	40	10.4	38.75
Cropped and mangled	36	10	30.25
	40	10	33.35
	36	10½	31.75
	40	10½	34.95
	40	11½	38.20
	40	12	39.80
	40	14	46.25
Extra quality	36	7	22.45
	40	7	24.70
	40	8	26.45

[F. R. Doc. 51-6123; Filed, May 24, 1951; 10:24 a. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation 11]

GWR 11—AGRICULTURAL LABOR

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), this General Wage Regulation 11 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation adapts the existing wage stabilization program to agricultural labor. The regulation defines the method for computing in agriculture the 10 percent permissible increase provided in General Regulation No. 6. It also establishes levels to which wage rates may be brought without Board approval.

Recognizing that the general wage stabilization policy might require some adaptation in its application to agriculture, the Wage Stabilization Board on February 6, 1951, authorized the establishment of a panel of three experts to study the problem of agricultural wage stabilization and to report back to the Board the issues involved and alternative methods for handling these issues.

The panel report analyzed the unique features of the agricultural labor market, and concluded that a special regulation dealing with agricultural wages should be issued, if effective wage stabilization was to be achieved in agriculture. The Board is persuaded that the conclusion is valid, and this regulation is in general accord with the panel analysis.

As an example of unique features, the base date of January 1950, used for other employment is totally impractical in the case of agricultural employment. Such a base date reflects the approximate seasonal minimum of employment and activity in agriculture. Therefore, the Board has established a flexible basis for determining the applicable 1950 base date, which is in accord with the actual operating conditions of agriculture.

The panel concluded, on the basis of its investigations, that a specific limitation on permissible increases should be applicable only where proposed increases will result in wage rates exceeding 95 cents per hour, together with the appropriate equivalent monthly and piece rates. The Wage Stabilization Board, taking into consideration the evidence assembled by the panel, has accepted this general conclusion, and this regulation is designed to implement this analysis. This regulation sets forth certain wage levels which serve as a dividing line between two different types of stabilization policy. Below the levels specified in the regulation, it is the Board's intention to permit market forces to determine wages in agricultural employment. It is the Board's conclusion that detailed administrative control of these wage rates is not currently required to effectuate the purposes of the Defense Production Act of 1950. In those areas where wage rates are close to or above these levels, wages will continue to be subject to the general 10 per cent permissive increase which currently applies to other employees.

The regulation also contains a definition of "agricultural labor," which is that contained in the Fair Labor Standards Act, special provisions for piece rates, and provisions for the determination of rates by employers who lack a base rate.

Due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950. The regulation is based upon the report of an expert panel which consulted representatives of the farm organizations and other agricultural experts and duly considered their views. It was found impracticable during the period of its deliberations to consult with representatives of agricultural labor organizations. The tripartite Board as discussed the panel report and recommendations and has voted to issue this regulation. The Board was of the opinion that it is impracticable and unnecessary to consult further with the representatives of agriculture, labor and industry, including trade association representatives. It is the judgment of the Wage Stabilization Board that this regulation is generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Permissible increases.
3. Determination of new rates.
4. Petitions for increases in wages.
5. Other wage regulations.

AUTHORITY: Sections 1 to 5 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; E. O. 10233, Apr. 21, 1951, 16 F. R. 3503.

SECTION 1. *Definitions.* As used in this regulation, the term

(a) "Agricultural labor" means labor employed in farming in all its branches, and among other things, in the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in section 15 (g) of the Agricultural Marketing Act, as amended), in the raising of livestock, bees, fur-bearing animals, or poultry, and in any practices (including any forestry or lumbering operations) performed for a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market.

(b) "Board" means the Wage Stabilization Board, a Regional Wage Stabilization Board or any of their agents.

(c) "Base rate" means, for each type of work to be performed, the amount of wages, salaries and other compensation paid per hour, month, piece or other unit, by an employer to agricultural labor for the same work (or if the same work was not performed, the most nearly comparable work), in the corresponding season or other time period in 1950.

SEC. 2. *Permissible increases.* A base rate may be increased without Board approval up to and including one of the following:

(a) The base rate plus 10 percent;

(b) 95 cents per hour;

(c) The piece rate customarily considered as corresponding to 95 cents per hour for the particular work, stage of crop season and weather conditions;

(d) $225 per month without room and board;

(e) $195 per month, plus the use of a year-round house and the usual perquisites of a full-time agricultural employee;

(f) $175 per month, with room and board.

Increases in piece rates may be rounded off in conformity with usual practice.

SEC. 3. *Determination of new rates.* An employer of agricultural labor who has no base rate for a particular type of work shall not pay wages, salaries and other compensation in excess of the current permissible rate for the same or comparable work in the area.

SEC. 4. *Petitions for increases in wages.* An employer may petition the Board for approval of increases in wages, salaries and other compensation paid to agricultural labor, in excess of those permitted by section 2 or section 3 of this regulation. Such petitions shall be filed in accordance with the requirements of the procedural regulations of the Board.

SEC. 5. *Other wage regulations.* Other general wage regulations are hereby superseded, to the extent that their provisions as applied to agricultural labor would be inconsistent with this regulation.

Adopted by unanimous vote of the Board on May 17, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R Doc. 51-6108; Filed, May 24, 1951; 9:49 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9920]

PART 12—AMATEUR RADIO SERVICE

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1951;

The Commission having under consideration the notice of proposed rule making in the above-entitled matter, which contemplates deletion of § 12.24 and amendment of §§ 12.27, 12.47, 12.62, 12.63 (b) and 12.65 of Part 12, "Amateur Radio Service", to bring these sections into conformity with modern practices and to clarify provisions which appear not to be generally understood;

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, general notice of proposed rule making in the above-entitled matter, which made provision for the submission of written comments of interested parties and the filing of comments or briefs in reply to original comments or briefs, was duly published in the FEDERAL REGISTER (16 F. R. 2686) and that the period for filing comments has expired;

It further appearing, That no comment with respect to the proposed amendments was received by the Commission;

It is ordered, Under the authority of sections 4 (i), 301, and 303 (l) and (r) of the Communications Act of 1934, as amended, that, effective June 30, 1951, Part 12, "Amateur Radio Service", be and it hereby is amended in exact accordance with the amendments set forth in the notice of proposed rule making published in the FEDERAL REGISTER on

March 27, 1951, and incorporated as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082; 47 U. S. C. 301, 303)

Released: May 17, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

Part 12 is amended in the following particulars:

1. Section 12.24 is deleted.

2. Section 12.27 is amended by transferring the reference to footnote 6 from paragraph (a) to the last word of the title sentence of the section, and amending paragraph (a) to read as follows:

(a) An amateur operator license, except the Novice Class, may be renewed upon proper application in which it is stated that the applicant has lawfully accumulated, at an amateur station licensed by the Commission, a minimum total of either 2 hours operating time during the last three months or 5 hours operating time during the last 12 months of the license term. Such operating time, for the purpose of renewal, shall be counted as the total of all that time between the entries in the station log showing the beginning and end of transmissions as required in § 12.136 (a), both during single transmissions and during a sequence of transmissions. The application shall, in addition to the foregoing, include a statement that the applicant can send by hand key, i. e., straight key or any other type of hand operated key such as a semi-automatic or electronic key, and receive by ear, in plain language, messages in the International Morse Code at a speed of not less than that which is required in qualifying for an original license of the class being renewed.

3. Section 12.47 is amended to read as follows:

§ 12.47 *Examination procedure.* All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing, and diagrams shall be drawn by hand, by means of either pen and ink or pencil. Whenever the applicant's signature is required, his normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test and if unable to draw required diagrams, may dictate a detailed description essentially equivalent. If the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the person(s) taking and transcribing the applicant's dictation.

4. Section 12.62 is amended to read as follows:

§ 12.62 *Eligibility of corporations or organizations to hold license.* An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

5. Section 12.63 (b) is amended to read as follows:

(b) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is for station license only, it shall be filed directly with the Commission at its Washington 25, D. C. office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 12.22.

6. Section 12.65 is amended to read as follows:

§ 12.65 *License period.* The license for an amateur station is normally valid for a period of 5 years from the date of issuance of a new or renewed license, except that an amateur station license issued to the holder of a Novice Class amateur operator license is normally valid for a period of 1 year from the date of issuance. Any modified or duplicate license shall bear the same expiration date as the license for which it is a modification or duplicate.

[F. R. Doc. 51-6035; Filed, May 24, 1951; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 877]

PART 97—ROUTING

REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of May A. D. 1951.

It appearing, that during recent high water, approach spans on the Minnesota side of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's pontoon bridge over the Mississippi River between Wabasha, Minnesota and Trevino, Wisconsin, were severely damaged; that the embankment approach to the bridge on the Wisconsin side was similarly damaged; that there is now under consideration reconstruction and repair of the damaged bridge or in lieu thereof, the filing of an application with this Commission for the permanent use of the Chicago, Burlington & Quincy Railroad Company's tracks between Winona, Minnesota and Trevino, Wisconsin; the Commission is of the opinion that the Chicago, Milwaukee, St. Paul and Pacific Railroad Company is unable to transport the traffic offered it, routed over its line between Wabasha, Minnesota and Trevino, Wisconsin, so as to properly serve the public and that the handling, routing and movement of this carrier's traffic (including trains) over the Chicago, Burlington & Quincy Railroad Company's line between Winona, Minnesota and Trevino, Wisconsin, will best promote the service in the interest of the public and the commerce of the people: It is ordered, That:

§ 97.877 *Rerouting of traffic.* — (a) *Rerouting.* The Chicago, Milwaukee, St. Paul and Pacific Railroad Company shall handle, route and move its traffic (including trains) originating or terminating at or between Trevino, Menomonie and Chippewa Falls, Wisconsin, over the Chicago, Burlington & Quincy Railroad Company's tracks between Winona, Minnesota and Trevino, Wisconsin.

(b) *Compensation.* The handling, routing and movement of traffic ordered and described in paragraph (a) of this section shall be upon such terms as between the carriers as they may agree upon or in the event of their disagreement as the Commission may, after subsequent hearing find to be just and reasonable.

(c) *Application.* The provisions of this section shall apply to intrastate and foreign traffic as well as interstate traffic.

(d) *Rates to be applied.* Inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers shall be the rates which were applicable at date of shipment over the routes so designated.

(e) *Division of rates.* In executing the orders and directions of the Commission provided for in this section, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this section remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized they shall not be changed or affected by this section.

(f) *Effective date.* This section shall become effective at 11:00 a. m., May 21, 1951.

(g) *Expiration date.* The provisions of this section shall expire at 11:59 p. m., August 31, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That copies of this order and direction shall be served upon the Minnesota and Wisconsin State railroad regulatory bodies, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379,

as amended, sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6022; Filed, May 24, 1951; 8:46 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter D—Federal Aid to States in Wildlife Restoration

PART 41—RESTORATION OF GAME BIRDS AND MAMMALS

Basis and purposes. The Federal Aid to Fish Restoration and Management Act of August 9, 1950 (64 Stat. 430, 16 U. S. C. 777;) has as its objective the performance of activities beneficial to sport fish which parallel activities beneficial to wildlife conducted under the Federal Aid to Wildlife Restoration Act of September 2, 1937 (50 Stat. 917, 16 U. S. C. 669;) as amended August 18, 1941 (55 Stat. 632; 16 U. S. C. 669g–1;) July 24, 1946 (60 Stat. 656; 16 U. S. C. 669c, 669g;) and August 3, 1950 (64 Stat. 399; 16 U. S. C. 669g–1).

At various conferences held with representatives of the fish and game departments of the States it was recommended that the regulations for each of these acts be consolidated and issued as single regulations. On the basis of such recommendations, in order to avoid duplication and repetition, to simplify administration of the program, and to promote efficiency I have determined that the following amendments to the existing regulations will effectuate this purpose and the purposes of the said acts:

1. The heading for Subchapter D is amended to read as set forth above.

2. Part 41 is completely revised and amended to read as follows:

DEFINITIONS

Sec.
41.1 Meaning of terms.
41.2 Act(s).
41.3 Authorized representatives of the Secretary.
41.4 State fish and game department.
41.5 Restoration project, hereinafter referred to as "project."
41.6 Combination project.
41.7 Ten-percent fund.

INFORMATION REQUIRED

41.11 General information for the Secretary.
41.12 Hunting and fishing license information.
41.13 Notice of desire to participate.
41.14 Information from State fish and game departments.

PROJECT INITIATION DOCUMENTS

41.21 Project statement.
41.22 Surveys, plans, specifications, and estimates; form and arrangement.
41.23 Project agreements.

PARTICIPATION BY OTHER STATE AGENCIES

41.31 Participation by State subdivisions.

REQUIREMENTS FOR PAYMENTS

41.36 Secretary's approval.
41.37 Economy and efficiency.
41.38 Lowest responsible bids.
41.39 Contracts; competitive bids.
41.40 Copy of contract; alteration or modification.
41.41 Form of vouchers.

STATES' RESPONSIBILITIES

41.46 Prosecution; promptness.
41.47 Inspection.
41.48 Progress reports.
41.49 Samples of materials to be submitted.
41.50 Records and cost accounting.
41.51 Inspection of accounts and records.
41.52 Submission.
41.53 Personnel; maintenance.
41.54 Personnel selection.

PROJECT STANDARDS

41.70 Project standards.

AUTHORITY: §§ 41.1 to 41.70 issued under sec. 10, 50 Stat. 919, sec. 10, 64 Stat. 434; 16 U. S. C. 669; 777*i*.

DEFINITIONS

§ 41.1 *Meaning of terms.* For the purposes of the regulations in this part, the following terms shall be construed, respectively, to have the meanings specified in § 41.2 to § 41.7 inclusive.

§ 41.2 *Act(s).* (a) The act of Congress approved September 2, 1937, entitled, "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," (50 Stat. 917; 16 U. S. C. 669–669i) commonly referred to as the Pittman-Robertson Act, and

(b) The act of Congress approved August 9, 1950, entitled, "An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes" (64 Stat. 430; 16 U. S. C. 777–777k) commonly referred to as the Dingell-Johnson Act.

§ 41.3 *Authorized representatives of the Secretary.* The Director of the Fish and Wildlife Service of the Department of the Interior, or such other officials and employees of said Service as may be designated by the Director from time to time.

§ 41.4 *State fish and game department.* Any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department, and the Alaska Game Commission, the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, the Commissioner of Agriculture and Commerce of Puerto Rico, and the Governor of the Virgin Islands.

§ 41.5 *Restoration project, hereinafter referred to as "project."* Acquisition of areas of land or water or estates or interest therein, for feeding, resting, or breeding places for fish or wildlife; restoration, rehabilitation, and improvement by construction of necessary works or otherwise of land and water areas for the benefit of fish or wildlife; maintenance of completed projects, conduct of research into problems of fish or wildlife management, and the coordination of projects necessary to efficient administration affecting fish and wildlife resources.

§ 41.6 *Combination project.* A project designed to result in benefits to both fish and wildlife resources in which federal costs are jointly borne by Pittman-Robertson and Dingel-Johnson apportionments in proportion to the estimated benefits to be derived by wildlife and fish respectively.

§ 41.7 *Ten-percent fund.* Items for engineering, inspection, and unforeseen contingencies not exceeding 10 percent of the total cost of any works to be constructed under these acts.

INFORMATION REQUIRED

§ 41.11 *General information for the Secretary.* Before any agreement is made covering any project to be undertaken in a State, there shall be furnished to the Secretary upon his request, by or on behalf of the State, information regarding the laws affecting fish or wildlife conservation and the authority of the State and of local officials in reference to the establishment and maintenance of fish or wildlife projects; the existing provisions of the State constitution or laws relative to revenues for the protection, restoration and management of fish or wildlife; the funds that will be available to meet the State's share of the cost of work to be performed and the general source of such funds; and provisions made or to be made for maintaining fish or wildlife projects upon which Federal Aid funds will be expended.

§ 41.12 *Hunting and fishing license information.* Certified information as to the number of paid hunting license holders and paid fishing license holders of the State in the preceding fiscal year shall be furnished the Secretary or his authorized representatives by the fish and game department of each State on or before December 31 of each year.

§ 41.13 *Notice of desire to participate.* Any State fish and game department desiring to avail itself of the benefits of the Acts shall notify the Secretary to this effect within sixty days after it has received from the Secretary a certificate of apportionment of funds available under the acts to the States.

§ 41.14 *Information from State fish and game departments.* The Secretary or his authorized representatives may from time to time request and the State fish and game department shall furnish information relative to the administration and maintenance of the fish and wildlife projects established under the acts.

NOTE: All record keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

PROJECT INITIATION DOCUMENTS

§ 41.21 *Project statement.* A project statement shall be submitted for each project to be undertaken, which shall contain such fundamental information as the Secretary may require and which will be specified in form furnished by him, in order that he may determine project suitability for fish or wildlife restoration purposes.

§ 41.22 *Surveys, plans, specifications, and estimates; form and arrangement.* The surveys, plans, specifications, and estimates shall show in convenient form and detail the work to be performed and its probable cost, in conformity with the standards governing form and arrangement prescribed by the Secretary and furnished to the States.

§ 41.23 *Project agreements.* A project agreement between the State fish and game department and the Secretary shall be executed for each project approved by the Secretary.

PARTICIPATION BY OTHER STATE AGENCIES

§ 41.31 *Participation by State subdivisions.* When any part of the cost of a project is to be furnished by a county or any other subdivision of a State, the surveys, plans, specifications, and estimates shall be accompanied by a certified copy of each resolution or order, if any, of the appropriate local officials, or by such other showing as the Secretary may require respecting the funds that are made available, indicating the control of the money provided for paying such costs, and clearly defining whether the State, county, or other local subdivision will own the lands and/or improvements; and stating which agency will be responsible for administration and maintenance after completion of the project.

REQUIREMENTS FOR PAYMENTS

§ 41.36 *Secretary's approval.* No payment of any money apportioned under the acts, including such preliminary or incidental costs and expenses as may be incurred in and about such projects, shall be made on any project unless it meets the standards which the Secretary may from time to time establish; and unless the project statements, plans, specifications, estimates, project agreements, and all other documents that may be necessary or required in the administration of the regulations in this part, have been submitted to and approved by the Secretary or his authorized representatives.

§ 41.37 *Economy and efficiency.* No part of the Federal funds set aside on account of any projeet shall be paid until it has been shown to the satisfaction of the Secretary or his authorized representatives that appropriate and adequate means, either by advertisement or otherwise, were employed to insure economy and efficiency in the expenditure of such money.

§ 41.38 *Lowest responsible bids.* If a contract be awarded to any other than the lowest responsible bidder, the Federal Government shall not pay more than its pro rata share of the lowest responsible bid, unless it is satisfactorily shown that it was advantageous to the work to accept the higher bid.

§ 41.39 *Contracts: competitive bids.* All contracts, except for the purchase and leasing of lands, shall be based upon free and open competitive bids.

§ 41.40 *Copy of contract; alteration or modification.* Upon request, a copy of each contract as executed shall be promptly certified by the State fish and game department and furnished to the Secretary, and no alteration or modification that changes the character or extent of the work from that indicated in the plans, specifications, and estimates as approved by the Secretary, or that increases the amounts to be paid from the lowest competitive bid, shall be subsequently made without the approval of the Secretary or his authorized representatives.

§ 41.41 *Form of vouchers.* Vouchers in the form provided by the Secretary and certified as therein prescribed, showing amounts expended on any project and the amount claimed to be due from the Federal Government on account thereof, shall be submitted by the State fish and game department to the Fish and Wildlife Service, either after completion of the project, or, if the Secretary has determined to make payments as the work progresses, at intervals of not less than one month.

STATES' RESPONSIBILITIES

§ 41.46 *Prosecution; promptness.* The State fish and game department shall carry all approved projects through to satisfactory completion with reasonable promptness.

§ 41.47 *Inspection.* The supervision of each project by the State fish and game department shall include adequate and continuous inspection throughout.

§ 41.48 *Progress reports.* Progress reports, showing force employed and work done, shall be furnished as requested by the Secretary or his authorized representatives.

§ 41.49 *Samples of materials to be submitted.* Suitable samples of materials to be used in construction work shall be submitted by or on behalf of the State fish and game department to the Fish and Wildlife Service whenever requested, to be tested for suitability and conformity with standard specifications.

§ 41.50 *Records and cost accounting.* Such records of the cost of lands acquired, improvements made thereon, construction work, overhead costs, and of maintenance done by or on behalf of the State shall be kept separately for each project by or under the direction of the State fish and game department, which shall report the amount and nature of the expenditure for these purposes, upon the request of the Secretary or his authorized representatives.

§ 41.51 *Inspection of accounts and records.* The accounts and records, together with all supporting documents, shall be open at all times to the inspection of the Secretary or his authorized representatives, and copies thereof shall be furnished when requested.

§ 41.52 *Submission.* Papers and documents required by the acts or by the regulations in this part to be submitted to the Secretary may be delivered to the Director of the Fish and Wildlife Service or his authorized representatives, and from the date of such delivery shall be deemed submitted.

§ 41.53 *Personnel; maintenance.* The State fish and game department shall maintain an adequate and competent force of employees to initiate and carry projects through to satisfactory completion.

§ 41.54 *Personnel selection.* Personnel employed by the States to carry out project work under the acts shall be selected on the basis of competency for services to be performed and shall conduct their duties in a manner acceptable to the Secretary.

PROJECT STANDARDS

§ 41.70 *Project standards.* Standards for Federal Aid in Fish and Wildlife projects are established as follows:

(a) Sufficient funds to originally finance the costs of the projects must be available for expenditure by the States.

(b) Projects must be substantial in character and design.

(c) The acquisition of lands under a project plan must be at prices which previously have been determined by the Fish and Wildlife Service to be fair and reasonable.

(d) Development projects shall have as their objectives the improvement of conditions suitable for fish and wildlife.

(e) Projects dealing with fish or wildlife surveys and investigations shall be limited to problems having direct management application.

(f) Maintenance projects may include the upkeep and repair of structures that have been acquired or constructed through either Federal Aid program. Likewise upkeep and repair of restoration developments of a non-structural nature that have been completed under these programs are also approvable. Management measures concerned with the harvesting of fish and wildlife and law enforcement activities do not qualify for inclusion in maintenance projects.

(g) In projects which are designed to include uses other than for fish or wildlife, Federal Aid funds shall be used only to the extent that fish or wildlife will benefit thereby.

(h) Personnel employed by the States to carry out project work must be selected on the basis of competency for services to be performed and shall conduct their duties in a manner acceptable to the Fish and Wildlife Service.

These amendments shall become effective on July 1, 1951.

OSCAR L. CHAPMAN,
Secretary of the Interior.

MAY 21, 1951.

[F. R. Doc. 51-6006; Filed, May 24, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 729]

PEANUTS

NOTICE OF INTENTION TO FORMULATE AND ISSUE REGULATIONS GOVERNING MARKETINGS, COLLECTION OF MARKETING PENALTIES, AND RECORDS AND REPORTS FOR 1951–52 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Sup. 1301, 1358–1359, 1372–1375; Pub. Law 471, 81st Cong., approved March 31, 1950; Pub. Law 17, 82d Cong., approved April 12, 1951), the Secretary of Agriculture is preparing to formulate marketing quota regulations governing the issuance of marketing cards, the identification of peanuts, the collection and refund of penalties, and the records and reports incident thereto on the marketing of peanuts for the 1951–1952 marketing year. It is proposed that the regulations will be substantially the same as the 1950-crop regulations (15 F. R. 4739) except as provided below:

1. It is proposed that three different types of marketing cards will be available for issuance to farm operators under the 1951 peanut marketing quota program, as follows:

(a) A within-quota marketing card authorizing the marketing of peanuts without penalty will be issued to the operator of each farm on which the harvested acreage of peanuts does not exceed the allotment for the farm.

(b) An excess all marketing card will be issued to the operator of each farm on which the harvested acreage of peanuts is in excess of the farm allotment but is not in excess of the peanut acreage picked and threshed on the farm in 1947, or in 1948 if no peanuts were harvested on the farm in 1947. This card will give the grower an option with respect to the excess peanuts contained in each lot available for marketing, of paying the penalty on the excess peanuts contained in each lot at the time of marketing or of delivering such peanuts to agencies designated by the Secretary of Agriculture and receiving a price therefor based on the current value of such peanuts for crushing for oil, less certain handling costs.

(c) An excess penalty marketing card, requiring payment of the penalty on the excess peanuts in each lot of peanuts marketed, will be issued to the operator of each farm on which the harvested acreage of peanuts exceeds the allotment for the farm and the acreage picked and threshed on the farm in 1947, or in 1948 if no peanuts were harvested on the farm in 1947.

2. The marketing cards for the 1951 program will not contain memoranda of sale. Buyers under contract with Commodity Credit Corporation will report purchases of within quota or excess oil peanuts from growers by executing as a memorandum of sale a portion of the inspection certificate form. These forms will be furnished to growers by a Federal or Federal-State inspector, who will be stationed in the office of each buyer who has signed a contract with the Commodity Credit Corporation. Buyers will be furnished other memoranda of sale forms for use in connection with marketings of peanuts which are not inspected and marketings which are subject to penalty.

3. The regulations will provide that if peanuts produced on a farm are improperly marketed in such a manner that payment of the penalty is avoided, the penalty will be due, in case the production and marketings for the farm are subsequently determined, on the quantity of peanuts marketed in excess of the farm marketing quota, and the penalty due for the farm shall be paid by the operator.

4. The regulations will provide that no refund of any penalty will be made because of peanuts kept on the farm for seed or for home consumption. This provision will give effect to the new language added to section 359 (a) of the act by Public Law 17, 82d Congress, approved April 12, 1951.

Prior to issuance of such regulations, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 10 days from the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 22d day of May 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator.

[F. R. Doc. 51–6051; Filed, May 24, 1951; 8:51 a. m.]

[7 CFR, Part 936]

FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATES OF ASSESSMENT FOR 1951–52 SEASON

Consideration is being given to the following proposals submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, as the agency to administer the provisions thereof:

(a) That the Secretary of Agriculture find, with respect to Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches, that expenses not to exceed the following amounts are likely to be incurred, during the season ending February 29, 1952, inclusive, by the Control Committee for the maintenance and functioning of such committee and the respective commodity committees established under the aforesaid amended marketing agreement and order:

(1) Bartlett pears, $19,927.19;

(2) Early varieties of plums, $15,891.83;

(3) Late varieties of plums, $17,717.40; and

(4) Elberta peaches, $11,296.08.

(b) That the Secretary of Agriculture fix, as each handler's pro rata share of such expenses, the following rates of assessment which each handler shall pay in accordance with the provisions of said amended marketing agreement and order:

(1) 15 mills ($0.015) per hundred pounds of Barlett pears;

(2) 25 mills ($0.025) per hundred pounds of early varieties of plums;

(3) 25 mills ($0.025) per hundred pounds of late varieties of plums; and

(4) 15 mills ($0.015) per hundred pounds of Elberta peaches.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals may do so by submitting the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day following publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR Part 936)

Issued this 22d day of May 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–6056; Filed, May 24, 1951; 8:52 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR, Part 201]

CONTRACTS FOR CERTAIN CANNED FRUITS AND VEGETABLES

EXEMPTION FROM PROVISIONS OF WALSH-HEALEY PUBLIC CONTRACTS ACT

In accordance with § 201.601 of the Walsh-Healey Public Contracts Act regulations (41 CFR 201.601), the Secretary of the Army has made written findings that the conduct of Government business will be seriously impaired by the inclusion of the representations and stipula-

tions of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35) in contracts awarded on or before December 31, 1951, for canned fruits and vegetables of the following varieties:

Apples, canned.
Applesauce, canned.
Apricots, canned.
Asparagus, canned.
Beans, lima, canned.
Beans, string, canned.
Berries, canned.
Carrots, canned.
Catsup, tomato.
Cherries, sour, canned.
Cherries, sweet, canned.
Corn, cream style, canned.
Corn, whole grain, canned.
Figs, canned.
Fruit cocktail, canned.
Grapefruit, canned.
Juice, citrus.
Juice, grape.
Juice, pineapple.
Peas, green, canned.
Peaches, canned.
Pears, canned.
Pineapple, canned.
Plums (prunes), canned.
Potatoes, sweet, canned.
Pumpkin, canned.
Puree, tomato.
Sauce, cranberry.
Spinach, canned.
Tomatoes, canned.
Tomato Juice, canned.
Tomato Paste, canned.

Pursuant to section 6 of the Walsh-Healey Public Contracts Act, and, upon the basis of this finding, the Secretary of Labor has been requested by the Secretary of the Army to grant an exemption from the provisions of section 1 of the act permitting the award of contracts for the above varieties of canned fruits and vegetables for the balance of the calendar year 1951 without inclusion of the representations and stipulations of that section.

Notice is hereby given of a public hearing on this matter before the Acting Administrator of the Public Contracts Division or his authorized representative at 10:00 a. m. on Monday June 11, 1951, in Room 5406, Department of Labor Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., at which interested persons may appear and submit data, views and arguments either in support of or in opposition to this proposal. Written statements in lieu of personal appearance may be filed by mail at any time prior to the date of the hearing, or may be filed with the presiding officer at the hearing. Persons appearing at the hearing will be afforded an opportunity to file, within 7 days from the close of the hearing, briefs relating to the issues raised at the hearing.

Signed at Washington, D. C., this 22d day of May 1951.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 51-6024; Filed, May 24, 1951; 8:46 a. m.]

Wage and Hour Division

[29 CFR, Part 681]

HAND-BRAIDING OF LEATHER BUTTONS BY HOMEWORKERS IN PUERTO RICO

PROPOSED MINIMUM PIECE RATE

Notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) that the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to establish a minimum piece rate of 32 cents per gross for the hand-braiding of leather buttons, 24 to 30 ligne, by homeworkers in Puerto Rico by the following method: Tying a braided knot around the tip of a finger, bringing the knot into a rounded button shape by pulling at the ends of the strip, cutting a shank at one end of the strip with a hand-cutting machine, trimming both ends by cutting the excess leather off and inserting the ends into the knot. (It is not intended by this action to revoke or change in any way the minimum piece rate of 53⅓ cents per gross established by an order dated August 8, 1950 (15 F. R. 5155) for the hand-braiding of leather buttons, 24 to 30 ligne by another method specified in such order).

Prior to the final adoption of such minimum piece rate, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 15 days from publication of this notice in the FEDERAL REGISTER.

The proposed rate is to be issued under authority contained in section 6 (a) (2) of the Fair Labor Standards Act of 1938, as amended (sec. 6, 63 Stat. 912; 29 U. S. C. 206).

Signed at Washington, D. C., this 21st day of May 1951.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator,
Wage and Hour Division.

[F. R. Doc. 51-6026; Filed, May 24, 1951; 8:47 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 2849 et al.; Docket No. 3663]

AMERICAN AIRLINES, INC., ET AL.; BIG FOUR MAIL RATE PROCEEDING AND EFFICIENCY INVESTIGATION

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of America Airlines, Inc., Eastern Air Lines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc., over their routes within the continental United States insofar as authorized under certificates for interstate air transportation and over their routes between the United States and terminal points in Canada. Docket No. 2849 et al.

In the matter of the investigation of the finances, routes, and operations of American Airlines, Inc., Eastern Air Lines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc. Docket No. 3663.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406, 205, 415, and 1001 thereof, that the above-entitled proceedings are hereby assigned for hearing on June 18, 1951, at 10:00 a. m., e. d. t., in the Adams and Hamilton Room, Wardman Park Hotel, 2660 Woodley Road NW., Washington, D. C., before Examiner Edward T. Stodola.

Without limiting the scope of the issues raised by the pleadings in these proceedings, particular attention will be directed to the following matters:

I. What is the fair and reasonable rate of compensation for the transportation of mail for each of the Big Four carriers under the standards set forth in section 406 of the Civil Aeronautics Act of 1938, as amended?

A. Is it reasonable to establish such rates on a uniform class basis?

B. For what periods and at what level should such rates be fixed?

II. What is the fair and reasonable rate of compensation for the transportation of mail for the Big Four, without reference to the "need" of each carrier?

A. Is it reasonable to establish such rates on a uniform class basis?

B. For what periods and at what levels should such rates be fixed?

III. Did each of the carriers have a reasonable and comparable opportunity under the statutory standards of honest, economical and efficient management, to earn a reasonable return on required investment without "need" mail compensation at the volume of operations required by the commerce, the Postal Service, and the national defense?

A. When the major factors which affect a carrier's opportunity to attain self-sufficiency, as defined above, are considered, did each of the carriers have a comparable opportunity to attain such a status?

B. When the major factors which affect a carrier's opportunity to attain self-sufficiency are considered, did each of the carriers have a reasonable opportunity to attain such a status?

C. What major factors which have contributed to any carrier's failure to realize the opportunity to attain self-sufficiency may be adjudged the responsibility of management under the statutory standards of honest, economical and efficient management and hence not

subject to underwriting by "need" mail pay?

IV. To what extent, if any, should any of the four carriers be paid "need" mail payments in addition to the amount provided by a service mail rate as placed in issue in No. II above and for what periods, after the institution of the rate proceeding, should such payments be made?

V. What factors account for the differences, if there be differences, in the mail pay requirements among the Big Four carriers, and what remedial actions, if any, should be taken by the Board or any of these carriers to eliminate or to decrease, as the case may be and the facts may warrant and permit, dependence upon the Government for "need" mail payments, if there be such dependence?

For further details with respect to the issues involved in these proceedings, all interested persons are referred to the various orders entered under Dockets Nos. 2849 et al., and Docket No. 3663 and to the Examiner's Report of Prehearing Conference, served April 25, 1950, and his Supplemental Report of Prehearing Conference, served May 23, 1950. The foregoing documents are on file with the Docket Section of the Civil Aeronautics Board.

Notice is hereby further given to the effect that any person other than parties already of record desiring to be heard in these proceedings shall file with the Board on or before June 8, 1951, a statement setting forth the issues of fact or law raised by these proceedings which he desires to controvert.

Dated at Washington, D. C., May 21, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-6037; Filed, May 24, 1951; 8:48 a. m.]

DEPARTMENT OF DEFENSE

Secretary of Defense

DESIGNATION OF MILITARY COMMANDERS TO ISSUE SECURITY ORDERS FOR PROTECTION OF PROPERTY OR PLACES UNDER THEIR COMMAND

I hereby designate the following military commanders pursuant to the provisions of section 21 of the Internal Security Act of 1950 (Pub. Law 831, 81st Cong.) to promulgate regulations for the protection or security of military property or places subject to their jurisdiction, administration, or in their custody as contemplated by the mentioned section 21:

Commanding Officers of all military reservations, posts, camps, stations, or installations subject to the jurisdiction, administration, or in the custody of the Department of the Army;

Commanding Officers of all Naval ships, stations, activities and installations; and Commanding Officers of all Marine Corps Posts, stations, and supply activities, subject to the jurisdiction, administration, or in the custody of the Department of the Navy; and

Commanding Generals and Commanding Officers, Major Air Commands, Numbered Air Forces, Air Divisions, Wings, Groups and Air Force installations, subject to the jurisdiction, administration, or in the custody of the Department of the Air Force.

Regulations promulgated by military commanders designated hereby shall be in accordance with policies and procedures relative thereto established by the Secretary of the military department concerned.

Regulations issued pursuant hereto shall be posted in a conspicuous and appropriate place, and shall make appropriate citation of this designation and the Public Law under which the designation is made.

Effective this 11th day of May 1951.

G. C. MARSHALL,
Secretary of Defense.

[F. R. Doc. 51-6010; Filed, May 24, 1951; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 412]

SPECIAL INDUSTRY COMMITTEE NO. 10 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATIONS AND APPOINTMENT OF NEW MEMBERS

Pursuant to authority vested in me under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), I, F. Granville Grimes, Jr., Acting Administrator of the Wage and Hour Division, United States Department of Labor, hereby accept the resignations of Jaime Vick, as an employer member and Emil Rieve, as an employee member of Special Industry Committee No. 10 for Puerto Rico, and appoint to serve on said Committee in their stead as employer and employee members respectively, Guillermo E. Gonzalez of San Juan, Puerto Rico, and Edward F. Doolan of Fall River, Massachusetts.

Edward F. Doolan shall serve on the Committee for such period as the Administrator shall direct, but he shall not serve concurrently with Walter J. Mason, who was appointed by Administrative Order No. 411 (16 F. R. 4591).

Signed at Washington, D. C., this 21st day of May 1951.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator,
Wage and Hour Division.

[F. R. Doc. 51-6025; Filed, May 24, 1951; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

CHAIRMAN OF PMA COUNTY COMMITTEE

DELEGATION OF AUTHORITY WITH RESPECT TO EXECUTING LEASES FOR STORAGE STRUCTURES

Pursuant to the authority conferred upon me, by the bylaws of Commodity Credit Corporation published in 14 F. R. 7689, I hereby appoint the Chairman of every Production and Marketing Administration county committee a contracting officer, within the county of his jurisdiction, for the purpose of executing, in accordance with instructions, leases of Commodity Credit Corporation-owned storage structures, not needed for storage of Commodity Credit Corporation-owned grain. The aforementioned instructions shall be available for inspection in the PMA County offices. In leasing such structures, such contracting officers have been instructed to give preference first to farmers or groups of farmers for the storage of their own grain; then to cooperative associations for the storage of grain; and then to commercial warehousemen for the storage of grain. Thereafter, such structures may be leased for the storage of any commodity or product which will not be injurious or hazardous to the structure itself, or to grain stored in other structures at the site. The termination date of any such lease shall be not later than April 30, following the date of the lease, except when the structures are used for the storage of corn or soybeans under loan which will mature at a date after April 30, 1952, in which case structures may be leased for a period ending on or prior to the maturity date of such loans. The delegation of authority contained in paragraph (7) of Federal Register document 50-6630, published 15 F. R. 4874 issued July 28, 1950, is hereby revoked.

Issued this 22d day of May 1951.

[SEAL] HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

Attested:

LIONEL C. HOLM,
Secretary,
Commodity Credit Corporation.

[F. R. Doc. 51-6055; Filed, May 24, 1951; 8:51 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 25]

FARRINGTON MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Farrington Manufacturing Company has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level

of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of matching jewel and gift cases manufactured by Farrington Manufacturing Company, 76 Atherton Street, Boston 30, Massachusetts, having the brand name "Farrington" and described in the manufacturer's application dated April 5, 1951. The manufacturer's prices listed below are subject to a discount of 2/10, EOM.

MATCHING JEWEL AND GIFT CASES

Manufacturer's selling price (per dozen)	*Ceiling price at retail (per unit)*
$10.50	$1.50
13.50	1.95
16.50	2.50
19.50	2.95
22.50	3.50
28.50	4.50
46.20	6.95
67.80	10.00
81.00	12.50

2. The matching jewel and gift case having the style number 6B in the manufacturer's application dated April 5, 1951, so long as it has a manufacturer's selling price of $66.00 per dozen, shall have a ceiling price at retail of $10.00 per unit, and the manufacturer's price shall be subject to a discount of 2/10, EOM.

3. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

4. On and after June 23, 1951, Farrington Manufacturing Company must mark each article listed in paragraphs 1 and 2 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after July 23, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to July 23, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provision of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraphs 1 and 2 of this special order or changes the retail ceiling price of a listed article, Farrington Manufacturing Company must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

5. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraphs 1 and 2 of this special order. Copies shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

6. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

7. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

8. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

9. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective May 24, 1951.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

MAY 24, 1951.

[F. R. Doc. 51-6107; Filed, May 24, 1951; 8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9974—9977]

RADIO BROADCASTING INC. (KTHS) ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Broadcasting, Inc. (KTHS), Hot Springs, Arkansas, Docket No. 9975, File No. BP-7787; James A. Noe (WNOE), New Orleans, Louisiana, Docket No. 9976, File No. BP-7822; Fayetteville Broadcasting Co., Inc. (KGRH), Fayetteville, Arkansas, Docket No. 9977, File No. BP-8037; for construction permits; and Radio Broadcasting, Inc. (KTHS), Hot Springs, Arkansas, for renewal of license; Docket No. 9974, File No. BR-426.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1951;

The Commission having under consideration (1) the above-entitled applications of Radio Broadcasting, Inc., requesting a construction permit to change facilities of KTHS, Hot Springs, Arkansas, from 1090 kilocycles with power of 10 kilowatts day and 1 kilowatt night, unlimited time, to 1090 kilocycles with power of 50 kilowatts, unlimited time using a directional antenna at night and to move the station to Little Rock, Arkansas; James A. Noe for a construction permit to change facilities of Station WNOE, New Orleans, Louisiana, from 1060 kilocycles with power of 50 kilowatts day and 5 kilowatts night, unlimited time using different directional antennas for day and night operation to 1090 kilocycles with power of 50 kilowatts day and 25 kilowatts night, unlimited time using different directional antenna for day and night operation; Fayetteville Broadcasting Co., Inc., for a construction permit to change facilities of Station KGRH, Fayetteville, Arkansas, from 1450 kilocycles with power of 250 watts, unlimited time to 1090 kilocycles with power of 50 kilowatts, unlimited time using a directional antenna at night; and Radio Broadcasting, Inc. for renewal of license of Station KTHS, Hot Springs, Arkansas; (2) a petition filed March 6, 1951, by Radio Broadcasting, Inc., requesting immediate action on its above-mentioned application to change facilities of Station KTHS; and (3) a petition filed September 1, 1950, by James A. Noe, requesting "Revocation, Deletion, or Modification of License of Radio Station KTHS";

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing

in a consolidated proceeding commencing at 10:00 a. m., on June 25, 1951, at Washington, D. C., upon the following issues:

1. To determine the technical, financial, and other qualifications of the individual applicant, and of the corporate applicants, their officers, directors, and stockholders to construct and operate respectively Stations WNOE, KTHS, and KGRH and with respect with Radio Broadcasting, Inc. to continue the existing operation of Station KTHS.

2. To determine the areas and populations which may be expected to gain or lose primary or secondary service from the operation of Stations WNOE, KTHS, and KGRH, as proposed, and the character of other service available to such areas and populations.

3. To determine the areas and populations which receive primary service from the present operation of Station KTHS and the character of other broadcast service available to such areas and populations.

4. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of Stations WNOE, KTHS, and KGRH, as proposed, and the continuance of the existing operation of KTHS would involve objectionable interference with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of Stations WNOE, KTHS, and KGRH, as proposed, and the continuance of the existing operation of KTHS would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine the overlap, if any, that will exist between the service areas of Station KTHS, as proposed, and Station KWKH, Shreveport, Louisiana, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

8. To determine whether the operation of Stations WNOE, KTHS, and KGRH, as proposed would be in conflict with any international agreement to which the United States is a party.

9. To determine whether the construction of Stations WNOE, KTHS, and KGRH, as proposed, would constitute a hazard to air navigation.

10. To determine whether the installation and operation of Stations WNOE, KTHS, and KGRH, as proposed, and the continuance of the existing operation of Station KTHS would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

11. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-6036; Filed, May 24, 1951; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1650]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION

MAY 21, 1951.

Take notice that on May 7, 1951, Transcontinental Gas Pipe Line Corporation (Applicant), a Delaware corporation with its principal place of business in Houston, Texas, filed an application for a certficate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to deliver to and/or receive from the Manufacturers Light & Heat Company, and the Atlantic Seaboard Corporation, quantities of natural gas in accordance with service agreements entered into as of May 5, 1951, relating to arrangements made for the exchange of gas under Applicant's Rate Schedule EX-1.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 8th day of June 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-6007; Filed, May 24, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26105]

LUMBER FROM THE SOUTH TO ILLINOIS

APPLICATION FOR RELIEF

MAY 22, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to tariffs listed below.

Commodities involved: Lumber and other forest products, carloads.

From: Alabama, Florida, Georgia, North Carolina, South Carolina and Tennessee.

To: Destinations in Illinois Freight Association Territory.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC 696, supp. 186; C. A. Spaninger, Agent, ICC 708, supp. 164; C. A. Spaninger, Agent, ICC 714, supp. 149.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-6018; Filed, May 24, 1951; 8:46 a. m.]

IRON AND STEEL FROM THE SOUTH TO OHIO RIVER CROSSINGS AND ST. LOUIS, MO.

APPLICATION FOR RELIEF

MAY 22, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to C. A. Spaninger's tariff ICC 920, pursuant to fourth section order No. 16101.

Commodities involved: Iron and steel articles, carloads.

From: Points in southern territory.

To: St. Louis, Mo., group and Ohio River Crossings.

Grounds for relief: Circuitous routes. Operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-6019; Filed, May 24, 1951; 8:46 a. m.]

[4th Sec. Application 26107]

GUMS AND RESINS FROM WEST VIRGINIA TO JERSEY CITY, N. J., AND VICINITY

APPLICATION FOR RELIEF

MAY 22, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff ICC No. 3758, pursuant to fourth section order No. 9800.

Commodities involved: Gums and resins, synthetic, carloads.

From: Charleston, W. Va., and other points in West Virginia.

To: Bayway, Elizabeth, Caramic, Jersey City, Newark, Perth Amboy and Warners, N. J.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6020; Filed, May 24, 1951; 8:46 a. m.]

[4th Sec. Application 26108]

PRINTING PAPER FROM VIRGINIA, PENNSYLVANIA, AND MARYLAND TO MINDEN, NEBR.

APPLICATION FOR RELIEF

MAY 22, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff ICC No. A-850 and L. C. Schuldt's tariff ICC No. 4238.

Commodities involved: Paper, printing, other than newsprint.

From: Covington, Va., Erie, Johnsonburg, Philadelphia, Roaring Spring, Spring Grove, Tyrone, and Williamsburg, Pa., and Luke, Md.

To: Minden, Nebr.

Grounds for relief: Circuitous routes. To apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin ICC No. A-850, supp. 89; L. C. Schuldt ICC No. 4238, supp. 31.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6021; Filed, May 24, 1951; 8:46 a. m.]

[Rev. S. O. 876, General Permit 5-L]

RED CEDAR SHINGLES, SHAKES, AND/OR RED CEDAR LUMBER

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (d) (2) of Revised Service Order No. 876 (16 F. R. 3620), permission is granted for any common carrier by railroad, subject to the Interstate Commerce Act, to disregard the provisions of Revised Service Order No. 876 insofar as they apply to red cedar shingles, shakes, and/or red cedar lumber, provided the shipment of such red cedar shingles, shakes, and/or red cedar lumber is loaded to at least 10,000 pounds at point of origin billed stop-off to complete loading; provided the car is loaded in accordance with the provisions of the order when leaving the point at which the car is stopped to complete loading.

The waybills shall show reference to this general permit and all consignors shipping cars under this permit shall furnish the Permit Agent the car numbers, initials, and destinations of the cars shipped under this permit.

This general permit shall become effective at 12:01 a. m., May 21, 1951, and shall expire at 11:59 p. m., September 30, 1951, unless otherwise modified, changed, suspended, or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-6023; Filed, May 24, 1951; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2613]

OHIO POWER CO. AND CENTRAL OHIO COAL CO.

ORDER AUTHORIZING ISSUANCE AND SALE BY SUBSIDIARY OF 15,000 SHARES OF COMMON STOCK, ACQUISITION BY PARENT COMPANY, AND $4,000,000 ADVANCE TO SUBSIDIARY BY PARENT COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of May A. D. 1951.

The Ohio Power Company ("Ohio Power"), an electric utility subsidiary company of American Gas and Electric Company, a registered holding company, and Central Ohio Coal Company ("Coal Company"), a non-utility subsidiary company of Ohio Power, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 10, and 12 (b) of the act, and Rule U-45 with respect to the following transactions:

Coal Company proposes to issue and sell and Ohio Power proposes to acquire not to exceed 15,000 shares of Coal Company's capital stock from time to time prior to December 31, 1954, for a cash consideration of $100 per share, being the par value of such shares, or a total of $1,500,000.

Ohio Power proposes to advance to Coal Company not to exceed $4,000,000 on open account from time to time prior to December 31, 1954, such advances to bear interest at the initial rate of 3 percent per annum. Ohio Power expects that as a part of a financing program to be consummated within the next 12 months, it will issue some long-term unsecured indebtedness. In the event that such unsecured indebtedness bears an annual average interest rate other than 3 percent, the annual interest on the proposed advances to Coal Company will be adjusted to equal such rate. The joint application-declaration states that the proceeds to be derived by Coal Company from the proposed transactions will be used to pay the cost of construction of additional coal production facilities during the years 1951 to 1954.

The joint application-declaration having been filed on April 13, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the joint application-declaration that the proposed transactions comply with the applicable standards of the act, and the Commission observing no basis for adverse findings, and deeming it appropriate that said joint application-declaration be granted and permitted to become effective, and also deeming it appropriate to grant the request of the joint applicants-declarants that the

order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed by Rule U-24, that said joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6012; Filed, May 24, 1951; 8:46 a. m.]

[File No. 70-2615]

OHIO POWER CO. ET AL.

ORDER AUTHORIZING PROPOSED $2,500,000 ADVANCES TO SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of May A. D. 1951.

In the matter of the Ohio Power Company, Appalachian Electric Power Company, Central Coal Company; File No. 70-2615.

The Ohio Power Company ("Ohio Power"), Appalachian Electric Power Company ("Appalachian"), both electric utility subsidiary companies of American Gas and Electric Company, a registered holding company, and Central Coal Company ("Coal Company"), a non-utility subsidiary company of both Ohio Power and Appalachian, having filed a joint declaration and an amendment thereto pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935, with respect to the transactions summarized as follows:

Ohio Power and Appalachian propose to advance not to exceed in the aggregate $2,500,000 to Coal Company on open account from time to time prior to December 31, 1954. Such advances are to be made in equal amounts by Ohio Power and Appalachian and will bear an initial interest rate of 3 percent per annum. Ohio Power and Appalachian expect that as part of a financing program to be consummated within the next 12 months, they will issue some long-term unsecured indebtedness. In the event that such unsecured indebtedness bears an annual average interest rate other than 3 percent the annual interest rate on the proposed advances to the Coal Company will be adjusted to equal such rate. The joint declaration states that the proceeds from the proposed transaction will be used by the Coal Company to pay for the costs of construction of additional coal production facilities during the years 1951 to 1954.

Said joint declaration having been filed on April 16, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated under said act, and the Commission not having received a request for hearing with respect to said joint declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The State Corporation Commission of Virginia and the Public Service Commission of West Virginia having approved the proposed transactions; and

The Commission finding with respect to said joint declaration, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint declaration, as amended, be permitted to become effective, and also deeming it appropriate to grant a request of the declarants that the Commission's order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the provisions prescribed in Rule U-24, that the joint declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6013; Filed, May 24, 1951; 8:46 a. m.]

FIRST GUARDIAN SECURITIES CORP. ET AL.

MEMORANDUM OPINION AND ORDER REVOKING BROKER-DEALER REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of May A. D. 1951.

In the matter of the First Guardian Securities Corporation, 20 Pine Street, New York 20, New York and Arthur H. Baum, and Leonard Baum.

This is a proceeding pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("Exchange Act") to determine whether the First Guardian Securities Corporation ("registrant"), which is registered as a broker and dealer, and Arthur H. Baum and Leonard Baum, officers, directors and controlling persons of registrant, willfully violated sections 5 (a) (1) and (2) and 17 (a) of the Securities Act of 1933 ("Securities Act") and sections 9 (a) (2) and 10 (b) of the Exchange Act and Rule X-10B-5 thereunder, and, if so, whether it is in the public interest to revoke registrant's registration.[1]

On October 2, 1950, registrant filed a written notice requesting withdrawal from registration. On October 30, 1950, we instituted this proceeding thereby staying the effectiveness of the notice of withdrawal pursuant to Rule X-15B-6 under the Exchange Act. On November 21, 1950, registrant, Arthur H. Baum and Leonard Baum filed an "answer and consent to revocation" in which they acknowledged service of adequate notice, waived their opportunity for hearing, admitted the facts alleged in the order for proceedings for the purpose of this and any other proceeding pursuant to sections 15 (b) and 15A of the Exchange Act, and consented to a finding that they committed the violations of law set forth in that order and to the entry of an order revoking registrant's registration as a broker and dealer.

The order for proceedings alleges, and we find, that registrant, Arthur H. Baum and Leonard Baum willfully violated sections 5 (a) (1) and (2) and 17 (a) of the Securities Act and sections 9 (a) (2) and 10 (b) of the Exchange Act and Rule X-10B-5 thereunder in that (1) from June 1, 1950, to July 21, 1950, they sold and delivered to various persons shares of the common stock, no par value, of Standard Brewing Company of Scranton, when no registration statement was in effect as to such securities as required by the Securities Act; (2) for the purpose of inducing the purchase of such securities by others, they effected, alone and with other persons, during the period from May 29, 1950, to June 9, 1950, a series of transactions in such securities on a national securities exchange, which created actual and apparent active trading in such securities and raised the price thereof, and thereafter induced various persons to purchase such securities at prices to which the market had thus been artificially raised; and (3) the instrumentalities of interstate commerce, the mails, and the facilities of a national securities exchange were used in effecting certain of those transactions and in the purchases, sales and delivery of such securities.[2]

We conclude that revocation of registrant's registration as a broker and dealer is in the public interest.

Accordingly, it is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of the First Guardian Securities Corporation as a broker and dealer be, and it hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6011; Filed, May 24, 1951; 8:45 a. m.]

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[1] Section 15 (b) of the Exchange Act provides in pertinent part: "The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * or (2) any * * * officer, director, or branch manager of such broker or dealer * * * or any person directly or indirectly controlling or controlled by such broker or dealer * * * (D) has willfully violated any provision of the Securities Act of 1933, as amended, or of this title, or of any rule or regulation thereunder."

[2] The Board of Governors of the National Association of Securities Dealers, Inc., at its meeting on September 25-26, 1950, affirmed the decision of the District Business Conduct Committee of District No. 13, expelling the First Guardian Securities Corporation from membership in the Association, and revoking the registration of Arthur H. Baum and Leonard Baum with the Association as registered representatives, for violation of its Rules of Fair Practice. The period for appeal to this Commission pursuant to section 15A of the Exchange Act has expired.

MIDWEST STOCK EXCHANGE

NOTICE OF PROPOSAL TO DECLARE EFFECTIVE A PLAN FILED FOR DISPOSAL OF CERTAIN DOCUMENTS

Notice is hereby given that the Securities and Exchange Commission has under consideration a plan filed by the Midwest Stock Exchange pursuant to § 240.17a–6 (Rule X-17A–6) under the Securities Exchange Act of 1934 for the disposal of all applications, reports, and documents filed with that Exchange prior to January 1, 1946, pursuant to sections 12, 13, 14 and 16 of the Securities Exchange Act of 1934, or any rule or regulation promulgated by the Commission pursuant to any of such sections. The Exchange proposes to commence disposing of the specified material as soon as practicable after the Commission has declared its plan effective. The plan also contemplates that thereafter, as soon as practicable after January 1st of each year, regular disposition will be made of similar material which has been on file more than five years.

Information contained in the material proposed to be disposed of pursuant to the plan of the Midwest Stock Exchange is on file with the Commission where it will continue to be available.

The Securities and Exchange Commission proposes to declare the plan of the Midwest Stock Exchange effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

These proposals are made pursuant to the provisions of the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a) and 24 (b) thereof and Rule X-17A–6 thereunder. All interested persons are invited to submit their views and comments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before June 11, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 17, 1951.

[F. R. Doc. 51-6014; Filed, May 24, 1951; 8:46 a. m.]

PHILADELPHIA-BALTIMORE STOCK EXCHANGE

NOTICE OF PROPOSAL TO DECLARE EFFECTIVE A PLAN FILED FOR DISPOSAL OF CERTAIN DOCUMENTS

Notice is hereby given that the Securities and Exchange Commission has under consideration a plan filed by the Philadelphia-Baltimore Stock Exchange pursuant to § 240.17a–6 (Rule X-17A–6) under the Securities Exchange Act of 1934 for the disposal of all applications, reports, and documents filed with that Exchange prior to January 1, 1946, pursuant to sections 12, 13 and 16 of the Securities Exchange Act of 1934, or any rule or regulation promulgated by the Commission pursuant to any of such sections. While Rule X-17A–6 also makes provision for the disposal of all documents which have been on file with an exchange for more than five years pursuant to section 14 of the Securities Exchange Act of 1934, or the rules adopted thereunder, the plan of the Philadelphia-Baltimore Stock Exchange does not contemplate the disposal of such material. The Exchange proposes to commence disposing of the specified material as soon as practicable after the Commission has declared its plan effective. The plan also contemplates that thereafter, as soon as practicable after January 1st of each year, regular disposition will be made of similar material which has been on file more than five years.

Information contained in the material proposed to be disposed of pursuant to the plan of the Philadelphia-Baltimore Stock Exchange is on file with the Commission where it will continue to be available.

The Securities and Exchange Commission proposes to declare the plan of the Philadelphia-Baltimore Stock Exchange effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

These proposals are made pursuant to the provisions of the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a), and 24 (b) thereof and Rule X-17A–6 thereunder. All interested persons are invited to submit their views and comments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before June 11, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 17, 1951.

[F. R. Doc. 51-6015; Filed, May 24, 1951; 8:46 a. m.]

SAN FRANCISCO STOCK EXCHANGE

NOTICE OF PROPOSAL TO DECLARE EFFECTIVE A PLAN FILED FOR DISPOSAL OF CERTAIN DOCUMENTS

Notice is hereby given that the Securities and Exchange Commission has under consideration a plan filed by the San Francisco Stock Exchange pursuant to § 240.17a–6 (Rule X-17A–6) under the Securities Exchange Act of 1934 for the disposal of the following applications, reports, and documents filed with that Exchange prior to January 1, 1946, pursuant to sections 12, 13 and 16 of the Securities Exchange Act of 1934, or any rule or regulation promulgated by the Commission pursuant to any of such sections:

(1) Forms 1–J, 2–J, 15–AN, and AN–4 pursuant to section 12;

(2) All reports filed pursuant to section 13;

(3) All reports filed pursuant to section 16;

While § 240.17a–6 also makes provision for the disposal of all documents which have been on file with an exchange for more than five years pursuant to section 14 of the Securities Exchange Act of 1934, or the rules adopted thereunder, the plan of the San Francisco Stock Exchange does not contemplate the disposal of any of such material. It should also be noted that with respect to filings under section 12 and the rules thereunder this plan contemplates the disposal of only the material mentioned in (1) above.

The Exchange proposes to commence disposing of the specified material as soon as practicable after the Commission has declared its plan effective. The plan also contemplates that thereafter, as soon as practicable after January 1st of each year, regular disposition will be made of similar material which has been on file more than five years.

Information contained in the material proposed to be disposed of pursuant to the plan of the San Francisco Stock Exchange is on file with the Commission where it will continue to be available.

The Securities and Exchange Commission proposes to declare the plan of the San Francisco Stock Exchange effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

These proposals are made pursuant to the provisions of the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a), and 24 (b) thereof and § 240.17a–6 thereunder. All interested persons are invited to submit their views and comments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before June 11, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MAY 17, 1951.

[F. R. Doc. 51-6016; Filed, May 24, 1951; 8:46 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 22 (E)]

HARLEY-DAVIDSON MOTOR CO.

APPLICATION FOR INVESTIGATION

MAY 21, 1951.

Application has been filed with the United States Tariff Commission for investigation, under the escape clause procedure, to determine whether as a result of unforeseen developments and of the concession granted in a trade agreement the articles listed below are

being imported in such relatively increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles. The application was filed under the provisions of Part III of Executive Order 10082 of October 5, 1949.

Name of article	Purpose of request	Date received	Name and address of applicants
Motorcycles (item 369 (b), schedule XX (original) of the general agreement on tariffs and trade).	Withdrawal of binding of duty.	May 21, 1951	Harley-Davidson Motor Co., Milwaukee, Wis.

The application listed above is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington, D. C., and in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

DONN N. BENT,
Secretary.

[F. R. Doc. 51-6017; Filed, May 24, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13141, Amdt.]

CHRISTIAN WILKNS

In re: Real property, property insurance policies and a claim owned by William Wilkens and another. F-28-7954-B-1.

Vesting Order 13141, dated April 13, 1949, as amended, is hereby further amended as follows and not otherwise:

By deleting Exhibit A, of said Vesting Order 13141 and by reference made a part thereof, and substituting therefor Exhibit A, set forth below and by reference made a part hereof.

All other provisions of said Vesting Order 13141, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 22, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All those certain lots and parcels of real estate situate, lying and being in the city of Baltimore, State of Maryland and particularly described as follows:

Parcel No. 1: 217 South Bentalou Street.

Beginning for the same on the east side of Bentalou Street, at the distance of 12 feet, more or less, northerly from the northeast corner of Bentalou and McHenry Streets, said beginning being at the center of the partition wall between the house standing on the lot now being described and the house adjoining to the southward; and running thence northerly, binding on the east side of Bentalou Street, 12 feet to the center of the partition wall between the house standing on the lot now being described and the house adjoining to the northward; thence easterly, along the center of the last mentioned partition wall, and parallel to McHenry Street, 49 feet 1 inch to an alley 4 feet wide; thence southerly, binding on said alley, with the use thereof in common with the other lots binding thereon, 12 feet; and thence westerly, parallel to McHenry Street, and along the center of the first mentioned partition wall, 49 feet ½ an inch to the place of beginning. The improvements thereon being known as No. 217 S. Bentalou Street.

Being Lot No. 256, which was allotted to Christian Wilkens in the partition of the lands of William Wilkens, Sr. See Circuit Court for Baltimore County in Equity, Docket No. 10, folio 31, in the case of Wilkens, et al, vs. Wilkens, et al.

The said Christian Wilkens departed this life on February 18, 1949, thereby vesting the title to said property in Leontine Wilkens, his widow, and William Wilkens, his son.

Parcels No. 2 and No. 3: 310-312 Furrow Street.

Beginning for the same on the west side of Furrow (formerly Forest) Street, at the center of the partition wall between the northernmost house standing on the lot now being described and the house adjoining to the northward, said beginning being distant 136 feet 2 inches southerly from the southwest corner of Furrow and McHenry Streets; and running thence southerly, binding on the west side of Furrow Street, 25 feet 11 inches to the center of the partition wall between the southernmost house standing on the lot now being described and the house adjoining to the southward; thence westerly, along the center of the last mentioned partition wall, and parallel to McHenry Street, 52 feet to an alley 10 feet wide; thence northerly, binding on the east side of said alley, with the use and privilege of the same in common with other lots binding thereon, and parallel to Furrow Street, 25 feet 11 inches; and thence easterly, parallel to McHenry Street, and along the center of the first mentioned partition wall, 52 feet to the place of beginning. The improvements thereon being known as Nos. 310 and 312 Furrow Street.

Being Lot No. 89 which was allotted to Christian Wilkens in the partition of the lands of William Wilkens, Sr. See Circuit Court for Baltimore County in Equity, Docket No. 10, folio 31, in the case of Wilkens, et al, vs. Wilkens, et al.

The said Christian Wilkens departed this life on February 18, 1949, thereby vesting the title to said property in Leontine Wilkens, his widow, and William Wilkens, his son.

Parcel No. 4: 8 Willard Street.

Beginning for the same on the west side of Willard (formerly Wilkens) Street, at the center of the partition wall between the house standing on the lot now being described and the house adjoining to the southward, being 243 feet 4 inches northerly from the northwest corner of Willard and Lombard Streets; and running thence northerly, binding on the west side of Willard Street, 12 feet to the center of the partition wall between the house standing on the lot now being described and the house adjoining thereto to the northward; thence westerly, along the center of said last mentioned partition wall, and at right angles to Willard Street, 88¾ feet, more or less, to a 3-foot alley there situate, and laid out along the western outline of the property here belonging to William Wilkens Estate; thence southerly, on the east side of said alley, with the use and privilege of the same in common with other lots binding thereupon, 13 feet 6 inches to meet a line drawn from the beginning westerly, at right angles to Willard Street; and thence, reversing said line so drawn and binding thereon, and through the center of the first mentioned partition wall, easterly, 95 feet, more or less, to the beginning. Known as 8 Willard Street.

Being Lot No. 221 which was allotted to Christian Wilkens in the partition of the land of William Wilkens, Sr. See Circuit Court of Baltimore County in Equity, Docket 10, folio 31, in the case of Wilkens, et al, vs. Wilkens, et al.

The said Christian Wilkens departed this life on February 18, 1949, thereby vesting the title to said property in Leontine Wilkens, his widow, and William Wilkens, his son.

Parcels Nos. 5 and 6: 1913 and 1915 Wilhelm Street.

Beginning for the same at the southeast corner of Wilhelm Street and Goldsmith Alley; and running thence easterly, binding on the south side of Wilhelm Street, 34 feet 11 inches to the center of the partition wall between the easternmost house standing on the lot now being described and the house adjoining to the eastward; thence southerly, along the center of said partition wall, and parallel to Goldsmith Alley, 59 feet 2¼ inches to an alley 10 feet wide; thence westerly, binding on the north side of said alley, with the use and privilege of the same in common with the other lots binding thereon, and parallel to Wilhelm Street, 34 feet 11 inches to Goldsmith Alley; and thence northerly, binding on the east side of Goldsmith Alley, 59 feet 2¼ inches to the beginning. The improvements thereon being known as Nos. 1913 and 1915 Wilhelm Street.

Being Lot 30, Division A, which was allotted to William Wilkens, Jr., in the partition of the estate of William Wilkens, Sr. See Circuit Court for Baltimore County in Equity, Docket 10, folio 31, in the case of Wilkens, et al, against Wilkens, et al. See also Circuit Court No. 2 of Baltimore City, Docket 12-A, folio 112, wherein the property of William Wilkens, Jr., was divided and the above property allotted to Christian Wilkens.

The said Christian Wilkens departed this life on February 18, 1949, thereby vesting the title to said property in Leontine Wilkens, his widow, and William Wilkens, his son.

Parcel No. 7: SE side of Ramsay Street now called Ashton Street 130' x 165' City Reg Ward 20 Sec 8 Block 2110 Folio 314 Line 3.

Parcel No. 8: East side of Willard Street (formerly Wilkens Street) 124 feet North of Frederick Avenue 42' x 170' City Reg Ward 20 Sect 7 Block 2173 Folio 251 Line 12.

Parcels Nos. 9, 10, 11, 12 and 13: 1924-1926-1932 Wilkens Avenue and 328 and 330 South Monroe Street.

Beginning for the first thereof on the northwest side of Wilkens Avenue, at the distance of 88 feet 7 inches northeasterly from the northeast corner of Payson Street and Wilkens Avenue, said place of beginning being at the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the southwestward; and running thence northeasterly, binding on the northwest side of Wilkens Avenue, 17 feet 11 inches to the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the northeastward; thence northwesterly, along the center of said last mentioned partition wall, and parallel to Payson Street, 100 feet to an alley 10 feet wide; thence southwesterly, binding on the southeast side of said alley, with the use and

privilege of the same in common with the other lots binding thereon, and parallel to Wilkens Avenue, 17 feet 11 inches; and thence southeasterly, parallel to Payson Street, and along the center of said first mentioned partition wall, 100 feet to the place of beginning. The improvements thereon being known as No. 1924 Wilkens Avenue.

Beginning for the second thereof on the northwest side of Wilkens Avenue, at the distance of 70 feet 10 inches northeasterly from the northeast corner of Payson Street and Wilkens Avenue, said place of beginning being at the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining on the southwestward; and running thence northeasterly, binding on the northwest side of Wilkens Avenue, 17 feet 9 inches to the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the northeastward; thence northwesterly, along the center of said last mentioned partition wall, and parallel to Payson Street, 100 feet to an alley 10 feet wide; thence southwesterly, binding on the southeast side of said alley, with the use and privilege of the same in common with the other lots binding thereon, and parallel to Wilkens Avenue, 17 feet 9 inches; and thence southeasterly, parallel to Payson Street, and along the center of said first mentioned partition wall, 100 feet to the place of beginning. The improvements thereon being known as No. 1926 Wilkens Avenue.

Beginning for the third thereof on the northwest side of Wilkens Avenue, at the distance of 17 feet 7½ inches northeasterly from the northeast corner of Payson Street and Wilkens Avenue, said place of beginning being at the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the southwestward; and running thence northeasterly, binding on the northwest side of Wilkens Avenue, 17 feet 7 inches to the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the northeastward; thence northwesterly, along the center of said last mentioned partition wall, and parallel to Payson Street, 100 feet to an alley 10 feet wide; thence southwesterly, binding on the southeast side of said alley, with the use and privilege of the same in common with the other lots binding thereon, and parallel to Wilkens Avenue, 17 feet 7 inches; and thence southeasterly, parallel to Payson Street, and along the center of said first mentioned partition wall, 100 feet to the place of beginning. The improvements thereon being known as No. 1932 Wilkens Avenue.

Beginning for the fourth thereof on the west side of Monroe Street, at the distance of 75 feet ¾ inch northerly from the northwest corner of Monroe and Ramsay Streets, said place of beginning being at the center of the partition wall between the house standing on the lot now being described and the house adjoining to the southward; and running thence northerly, binding on the west side of Monroe Street, 14 feet 9 inches to the center of the partition wall between the house standing on the lot now being described and the house adjoining to the northward; thence westerly, along the center of said last mentioned partition wall, and parallel to Ramsay Street, 100 feet to an alley 10 feet wide; thence southerly, on said alley, with the use thereof in common, and parallel to Monroe Street, 14 feet 9 inches; and thence easterly, parallel to Ramsey Street, and along the center of the first mentioned partition wall, 100 feet to the place of beginning. The improvements thereon being known as No. 328 S. Monroe Street.

Beginning for the fifth thereof on the west side of Monroe Street, at the distance of 60 feet 3¾ inches northerly from the northwest corner of Monroe and Ramsay Streets, said place of beginning being at the center of the partition wall between the house standing on the lot now being described and the house adjoining to the southwest; and running thence northerly, binding on the west side of Monroe Street, 14 feet 9 inches to the center of the partition wall between the house standing on the lot now being described and the house adjoining to the northwestward; thence westerly, along the center of said last mentioned partition wall, and parallel to Ramsay Street, 100 feet to an alley 10 feet wide; thence southerly, on said alley, with the use thereof in common, and parallel to Monroe Street, 14 feet 9 inches; and thence easterly, parallel to Ramsay Street, and along the center of the first mentioned partition wall, 100 feet to the place of beginning. The improvements thereon being known as No. 330 S. Monroe Street.

Being the same five lots of ground which, by assignment dated January 12, 1938, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 5793, folio 364, were granted and assigned by Clayton W. Bordley to Christian Wilkens, subject to the annual rents of sixty dollars ($60.00) each on the first, second and third lots above described, and at and under the rents of $42.00 each on the fourthly and fifthly above described lots, payable in equal half-yearly instalments on the twelfth days of January and July in each and very year.

The said Christian Wilkens departed this life on February 18, 1949, thereby vesting the title to said properties in Leontine Wilkens, his widow, and William Wilkens, his son.

[F. R. Doc. 51-6043; Filed, May 24, 1951; 8:49 a. m.]

[Vesting Order 16280, Amdt.]

SHOZO TOMOEDA

In re: Rights of Sumo Tomoeda and of the domiciliary personal representatives, et al., of Shozo Tomoeda, deceased, under contract of insurance. File No. F-39-4525-H-1. Vesting Order No. 16280 dated December 7, 1950, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sumo Tomoeda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Shozo Tomoeda, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 596,444, issued by the General American Life Insurance Company, Saint Louis, Missouri, to Shozo Tomoeda, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Sumo Tomoeda or the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Shozo Tomoeda, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Shozo Tomoeda, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 10, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-6045; Filed, May 24, 1951; 8:49 a. m.]

[Vesting Order 17799]

UNIVERSUM-FILM A. G. ET AL.

In re: Rights in motion pictures owned and/or distributed by Universum-Film A. G. and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Universum-Film A. G., also known as Ufa (the producer and/or distributor of the motion pictures listed in Exhibits A and B set forth below and made a part hereof), the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany and which has or on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That the persons (including individuals, partnerships, associations, corporations or other business organizations) whose names and last known ad-

dresses are set forth in Column 2 of Exhibits C and D set forth below and made a part hereof, are residents of, or are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in, Germany and are nationals of a designated enemy country (Germany);

3. That Wien-Film G. m. b. H. (the producer of the motion pictures listed in Exhibit E set forth below and made a part hereof), the last known address of which is Vienna, Austria, and which there is reasonable cause to believe is a corporation organized under the laws of Austria, is or, on or since the effective date of Executive Order 8389, as amended, has been owned or controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid Universum-Film A. G., and is a national of a designated enemy country (Germany);

4. That the producers and/or distributors of the motion pictures listed in Exhibits F and G set forth below and made a part hereof, who, if individuals, there is reasonable cause to believe are residents of Germany and who, if partnerships, associations, corporations or other business organizations, there is reasonable cause to believe are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

5. That the property described as follows:

(a) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in Exhibits A, B, C, D, E, F and G set forth below and made a part hereof, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, right to copyright, and right to renew the copyright or copyrights in said motion pictures.

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to, all motion picture and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts.

(3) The rights to dramatize, perform, represent, and reproduce on motion picture film those portions of the published and unpublished works subject to copyright, other than the above mentioned screen plays, scenarios, and shooting scripts, which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States

(b) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Universum-Film A. G., also known as Ufa, Wien-Film G. m. b. H. and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations) whether or not named elsewhere in this order, including said Exhibits A, B, C, D, E, F and G, who are citizens and residents of, or which are organized under the laws of or have their principal places of business in, Germany and are nationals of such designated enemy country, in, to and under the following:

(1) All prints in the United States of the motion pictures listed in said Exhibits A, B, C, D, E, F and G.

(2) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibits A, B, C, D, E, F and G.

(3) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 5 (a), 5 (b) (1) and 5 (b) (2) of this Vesting Order.

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 5 (a) and 5 (b) of this Vesting Order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 5 (a), 5 (b), and 5 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraphs 1, 2, 3, 4 and 5 (b) hereof, the aforesaid nationals of a designated enemy country (Germany) and is property of, or is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interest therein held by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That Wien-Film G. m. b. H. is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany) and

7. That to the extent that the persons referred to in subparagraphs 1, 2, 3 and 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, includng appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Titles of motion picture features produced and/or distributed by Universum-Film A. G.

Anna Boleyn.
Die Bergkatze.
Der blonde Traum.
Blutsbrüderschaft (1926 production).
Die Brüder Karamasoff.
Dr. Mabuse, der Spieler (1922 production).
Faust.
Fiesko.
Flaschenteufelchen.
Die freudlose Gasse.
Die Frau im Mond.
Genuine.
Der Golem.
Ich bei Tag, Du bei Nacht.
Das Kabinett des Dr. Calgari.
Katzensteg (1927 production).
Kriemhilds Rache.
Die letzte Kompagnie.
Die Liebe der Jeanne Ney.
Liebeswalzer.
Die Lüge der Nina Petrowna.
Luise Millerin (Kabale und Liebe).
Melodie des Herzens.
Mensch ohne Namen.
Metropolis.
Michael.
Der müde Tod.
Die Nacht gerhört uns.
Die Nibelungen (1924 production).
Die Nibelungen (1926 production).
Nosferatu.
Die Pest von Florenz.
Phantom.
Silvester.
Tartuffe.
Die ungarische Rhapsodie.
Der unsterbliche Lump.
Uriel Acosta.
Verkannt.
Das Wachsfigurenkabinett.
Der weisse Teufel.
Yorck.
Zwei Menschen (1924 production).

EXHIBIT B

Titles of motion picture short subjects produced and/or distributed by Universum-Film A. G.

Annchen von Tharau.
Die Alpen.
Am Rande der Sahara.

Auf blinkenden Pfaden.
Auf den Halligen.
Auf den Spuren der Hanse.
Auf Tiergang in Abessinien.
Bei den deutschen Kolonisten in Südwestafrika.
Der Berg blünt.
Besuch beim Wettermacher.
Chinesische Städte.
Das deutsche Warmblut.
Deutschlands Luftwaffe.
Ebbe und Flut.
Emma III.
Erfinderin Natur.
Fauna und Flora am Neusiedler See.
Fledermäuse.
Die Fledermaus.
Der fliegende Briefträger.
Die Fuchsjagd im Engadin.
Geheimnisse einer Seele.
Das Geschenk.
Geschichte einer kleinen Welt.
Gestachelte Plagegeister (Stechmücke und Malaria).
Der grosse Preis von Europa.
Der Hamster.
Harrar, ein Kulturzentrum der Somalis.
Der heilige Berg.
Der Hirschkäfer.
Hochgebirgsschule.
Hochspannung.
Die Hohe Tatra.
Im Kampf mit dem Berg.
Insekten, die ins Wasser gingen.
Insektenfressende Pflanzen.
Der interessante Fall.
Kampf um die Scholle.
Klein-Polen an den Ufern der Warthe.
Ein kleiner Lebenslauf.
Komik in Hundeleben.
Kriechtiere und Otterngezücht.
Kunstfertige Handwerker und Baumeister im Tierreich.
Liebesleben der Pflanzen.
Das lustige Büro.
Des Menschen Freund.
Milak, der Grönlandjäger.
Mit dem Auto durch das Morgenland.
Natur und Liebe (Vom Urtier zum Menschen).
Pimpfe lernen fliegen.
Raritätenladen.
Reinlichkeit über alles.
Der Rhein Film.
Ritter Stachelrock (Der Igel).
Rund um das kaiserliche Schloss in Addis Abeba.
Salon der Meeresungeheuer.
Die Schrift der Pflanzen.
Die Seele der Pflanzen.
Stachlige Freunde.
Tierkünste unter der Zeitlupe.
Tierwelt der Nordsee.
T N greift ein.
Unendliches Weltall.
Unsere Reichsmarine.
Unsichtbare Wolken.
Unter vier Augen.
Verwandlungskünstler in der Natur.
Vogelparadies in der Ostmark.
Vom Auerhahn und anderem Edelwild.
Vom Waldkönig und seiner Krone.
Von Blumen, Früchten und Insekten.
Von Kunstschützen und Fallenstellern.
Waidmannsheil.
Wege zu Kraft und Schönheit.
Wein, Weib, Gesang.
Wenn Mutter schafft.
Wilna und die Wölfe.
Das Wort aus Stein.
Wunder der Schöpfung.
Wunder des Schneeschuhs.
Die Wunderwelt des blauen Golfes.
Wunderwelt Kehlkopf.
Zeitlupenrevue aus der gefiederten Welt.
Zimmer zu vermieten.
Zum Schneegipfel Afrikas.
Zwerge aus dem Ozean.

EXHIBIT C

Column 1	Column 2
Titles of motion picture features	*Producers and/or distributors*
Abenteuer einer Nacht	Cine-Allianz Tonfilm G. m. b. H., Berlin, Germany.
Abenteuer im Engadin	AAFA Film Produktion G. m. b. H., Berlin, Germany.
Abenteurer von heute	Deutsches Lichtspiel Syndikat A. G., Berlin, Germany.
Anna und Don Juan	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Anschluss verpasst	Cine-Allianz Tonfilm G. m. b. H., Berlin, Germany.
Arbeit macht glücklich	Terra-Film A. G., Berlin, Germany.
Aufforderung zum Tanz (Der Weg Carl Maria von Weber's).	Cicero-Film G. m. b. H., Berlin, Germany.
Aurora von Königsmark	Universum-Film A. G. "Ufa", Berlin, Germany.
Bayer 205 (Kampf um Germanin)	Universum-Film A. G. "Ufa", Berlin, Germany.
Berlin, wie es weint und lacht	Ondra-Lamac Film G. m. b. H., Berlin, Germany.
Bosambo	Bavaria-Film A. G., Munich, Germany.
Brennende Grenze	Euphono-Film G. m. b. H., Berlin, Germany.
Condottieri (German version only)	Tobis-Cinema Film A. G., Berlin, Germany.
Drei Lilien	Aco-Film G. m. b. H., Berlin, Germany.
Du meine Seele, Du mein Herz	Universum Film A. G. "Ufa", Berlin, Germany.
Du sollst meine Königin sein	Universum-Film A. G. "Ufa", Berlin, Germany.
Eine Minute vor Zwölf	Tobis-Rota A. G., Berlin, Germany.
Einmal Napoleon	Bavaria-Filmkunst G. m. b. H., Munich, Germany.
Einquartierung	ABC-Film G. m. b. H., Berlin, Germany.
Es begann im gelben Drachen	Euphono-Film G. m. b. H., Berlin, Germany.
Es geschah in einer Nacht	Märkische-Film G. m. b. H., Panorama-Film G. m. b. H., and Wilhelm Schneider Filmvertrieb G. m. b. H., all of Berlin, Germany.
Feind ohne Gnade	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Figaro's Hochzeit (1936 production)	Universum-Film A. G. "Ufa", Berlin, Germany.
Flachsmann als Erzieher	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Der fliegende Tod	Klawi Filmverleih, Berlin, Germany.
Flitterwochen (1939 Tobis production)	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Flitterwochen ohne Mann	Algefa-Film G. m. b. H., Berlin, Germany.
Fräulein Josette—meine Frau	Vitagraph-Tonfilm G. m. b. H., Berlin, Germany.
Frechheit siegt	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Der Galeerensträfling	Euphono-Film G. m. b. H., Berlin, Germany.
Gang in die Nacht	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Gehetzte Menschen	Syndikat-Film G. m. b. H., Berlin, Germany.
Das Gespenst auf Reisen	Tobis-Europa A. G., Berlin, Germany.
Gestern Nacht um Zwei	Universum-Film A. G. "Ufa", Berlin, Germany.
Der goldene Gletscher	Bavaria-Film A. G., Munich, Germany.
Die grosse Entscheidung	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Das grosse Lustspiel	Minerva-Tonfilm G. m. b. H., Berlin, Germany.
Heimliche Liebe (Rosmarin)	Universum-Film A. G. "Ufa", Berlin, Germany.
Im Rebeloch rumort's	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Die Insel der verlorenen Schiffe	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Ist Luzia ein Mädel?	Vitagraph-Tonfilm G. m. b. H., Berlin, Germany.
Jugendtraum	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Kaiserwalzer	AAFA Film Produktion G. m. b. H., Berlin Germany.
Kameliendame	Forum-Film G. m. b. H., Berlin, Germany.
Kammerkätzchen	Tobis-Rota A. G., Berlin, Germany.
Kapitän Boykott	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Der kleine König	Tobis-Rota A. G., Berlin, Germany.
Der Kommandant	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Lache Bajazzo (German version only)	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Des Lebens Ueberfluss	Cine-Allianz Tonfilm G. m. b. H., Berlin, Germany.
Leise kommt das Glück zu Dir	N. A. G. Filmverleih G. m. b. H., Berlin, Germany.
Der letzte Appell	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Das leuchtende Ziel	Metropol-Film-Verleih, Berlin, Germany.
Liebe	Universum-Film A. G. "Ufa", Berlin, Germany.
Liebe, Freiheit und Verrat	Cando-Film G. m. b. H., Berlin, Germany.
Lord Burnleys Affäre	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Maddalena	Tobis-Rota A. G., Berlin, Germany.
Ein Mädchen von heute	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Männer ohne Gewissen	Ariel-Film G. m. b. H., Berlin, Germany.
Die Männer von Aren	Universum-Film A. G. "Ufa", Berlin, Germany.
Der Mann ohne Furcht	Tobis-Rota A. G., Berlin, Germany.
Mein Freund, der König	Tobis-Rota A. G., Berlin, Germany.
Mein Herz der Königin	Tobis-Europa A. G., Berlin, Germany.
Der Millionär	Bavaria-Filmkunst G. m. b. H., Munich, Germany.
Mimi	Cando-Film G. m. b. H., Berlin, Germany.
Morgen ist alles besser	Herzog-Film G. m. b. H., Berlin, Germany.
Muss man sich gleich scheiden lassen	Panorama-Film G. m. b. H., Berlin, Germany.
Mutterhände	Cando-Film G. m. b. H., Berlin, Germany.
Die Nacht ohne Abschied (1939 Tobis production).	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Nagana	Tobis-Rota A. G., Berlin, Germany.
Narren im Schnee	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Natasha	Cando-Film G. m. b. H., Berlin, Germany.
Palos Brautfahrt	Universum-Film A. G. "Ufa", Berlin, Germany.
Percy auf Abwegen	Tobis-Filmkunst G. m. b. H., Berlin, Germany.

Column 1	Column 2
Titles of motion picture features	*Producers and/or distributors*
Peter spielt mit dem Feuer	Aco-Film G. m. b. H., Berlin, Germany.
Das Privatleben des Don Juan	Bavaria-Film A. G., Munich, Germany.
Die Radio Polizeipatrouille	Tobis-Rota A. G., Berlin, Germany.
Die Schlacht am blauen Berge	Märkische-Film G. m. b. H., Panorama-Film G. m. b. H. and Wilhelm Schneider Filmvertrieb G. m. b. H., all of Berlin, Germany.
Die Schlossherrin von Lebanon	Universum-Film A. G. "Ufa", Berlin, Germany.
Schwarze Augen	H. T.-Film, Berlin, Germany.
Der Schwur des Armas Beckius	N. A. G. Filmverleih G. m. b. H., Berlin, Germany.
Das Seeamt entscheidet	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Sein letztes Modell (German version only).	Bavaria-Film A. G., Munich, Germany.
Sie sind Viotta	Cine-Allianz-Tonfilm G. m. b. H., Berlin, Germany.
Die siebente Grossmacht	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Skandal in Paris	Deka-Film G. m. b. H., Berlin, Germany.
Sogar in diesen Zeiten	Ondra-Lamac Film G. m. b. H., Berlin, Germany.
Der Staatsanwalt klagt an	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Die Stimme ohne Gesicht	Henry Müller Monopolfilm, Berlin, Germany.
Tatort Westbahnhof	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Der Teufelsgeiger, Paganini	Terra-Filmkunst G. m. b. H., Berlin, Germany.
Die Tochter des Samurai (German version only).	Terra-Film A. G., Berlin, Germany.
Tod über Shanghai	Siegel-Monopolfilm, Dresden and Berlin, Germany.
Tundra	Universum-Film A. G. "Ufa", Berlin, Germany.
Ulanengelübde	H. T.-Film, Berlin, Germany.
Um eine Fürstenkrone	Hammer-Tonfilm, Berlin, Germany.
Und wer war es wirklich?	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Der ungetreue Eckehard	Lothar Stark-Film G. m. b. H., Berlin, Germany.
Unmögliche Liebe	Märkische-Film G. m. b. H., Panorama-Film G. m. b. H., and Wilhelm Schneider Filmvertrieb G. m. b. H., all of Berlin, Germany.
Die Unsichtbaren	Bavaria-Filmkunst G. m. b. H., Berlin, Germany.
Das unsterbliche Antlitz	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Unter falschem Verdacht	Forum-Film G. m. b. H., Berlin, Germany.
Das Veilchen der Kaiserin	Terra-Film A. G., Berlin, Germany.
Der verhinderte Ehemann	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Die vertauschte Grossmutter (Schuld allein ist der Wein).	Pontus-Film, Hamburg, Germany.
Wehe, wenn sie erben	Tobis-Filmkunst G. m. b. H., Berlin, Germany.
Weltraumschiff Nr. 18	Universum-Film A. G. "Ufa", Berlin, Germany.
Zigeuner der Nacht	Bavaria-Film A. G., Munich, Germany.
Zirkus Horvath brennt	Aco-Film G. m. b. H., Berlin, Germany.
Die Zwei im Südexpress	Bavaria-Film A. G., Munich, Germany.
Zwei Welten (1930 production)	Greenbaum-Film G. m. b. H., Berlin, Germany.
Zwischen Abend und Morgen	Universum-Film A. G. "Ufa", Berlin, Germany.

EXHIBIT D

Alpenföhn	Lackebusch & Co., Berlin, Germany.
Aus Stifters Böhmerwald-Heimat	Universum-Film A. G. "Ufa", Berlin, Germany.
Der Barbier von Sevilla	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Burgenland	Universum-Film A. G. "Ufa", Berlin, Germany.
Der deutsche Schäferhund	Körösi & Bothke, Berlin, Germany.
Deutsche Steilküsten	Lex-Film G. m. b. H., Berlin, Germany.
Der erste Jagdschein	Naturfilm H. Schonger, Berlin, Germany.
Feuer im Schiff	Lex-Film G. m. b. H., Berlin, Germany.
Forschungsstation Jungfraujoch	Herbert Dreyer G. m. b. H., Berlin, Germany.
Grosser Tag in Ruhleben	Universum-Film A. G. "Ufa", Berlin, Germany.
Inspektor Warren wird bemüht	K. V. Filmproduktions- und Vertriebs G. m. b. H., Berlin, Germany.
Insel Rügen	Universum-Film A. G. "Ufa", Berlin, Germany.
Jägersprache	Paul Lieberenz G. m. b. H., Berlin, Germany.
Kapitäne der Landstrasse	Kulturfilm Institut G. m. b. H., Berlin, Germany.
Kennt ihr das Land in deutschen Gauen?	Kling-Film G. m. b. H., Berlin, Germany.
Liebe auf den ersten Blick	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Lustig sein-fröhlich sein	Universum-Film A. G. "Ufa", Berlin, Germany.
Das Mädchen von Saint Coeur	Universum-Film A. G. "Ufa", Berlin, Germany.
Mann im Schrank	K. V. Filmproduktions- und Vertriebs G. m. b. H., Berlin, Germany.
Ein Meer versinkt	Bavaria-Film A. G., Munich, Germany.
Notgemeinschaft Hinterhaus	Universum Film A. G. "Ufa", Berlin, Germany.
Onkel Fridolin	F. D. F., Fabrikation deutscher Filme G. m. b. H., Berlin, Germany.
Polnische Königsstädte	Universum-Film A. G. "Ufa", Berlin, Germany.
Schneewittchen und die 7 Swerge	Naturfilm H. Schonger, Berlin, Germany.
Silvesternacht am Alexanderplatz	Majestic-Film G. m. b. H., Berlin, Germany.
Tante Sidonies Erbe	Döring Film Werke G. m. b. H., Berlin, Germany.
Wasserburgen in Westfalen	Universum Film A. G. "Ufa", Berlin, Germany.
Der Weg über den Ozean	Naturfilm H. Schonger, Berlin, Germany.
Wenn ein kleines Mädel spielt	Eros-Film G. m. b. H., Berlin, Germany.
Eine wunderbare Welt	Luce-Film G. m. b. H., Berlin, Germany.
Wurf im Sport	Olympia-Film G. m. b. H., Berlin, Germany.

EXHIBIT E

Titles of motion picture short subjects

Blonde Frau übern kurzen Weg.
Kinderhände-Künstlerhände.
Schwarz gegen blond.
Ein Tag in Schönbrunn.

EXHIBIT F

Titles of motion picture short subjects

Beim Nervenarzt.
Changing Times: A Study in Contrast.
Die karierte Weste.
Trier, Germany's Oldest City.
The Zeppelins.

EXHIBIT G

Titles of motion picture features

Abenteuer auf dem Meeresgrund.
Du bist für mich die schönate Frau.
Flucht nach Nizza.
Karneval des Lebens.
Liebe auf den ersten Ton.
Menschen im Sturm (1935 or 1936 production).
Musik der Herzen.
Spatzenschreck.
Symphonie der Liebe.

[F. R. Doc. 51-6038; Filed, May 24, 1951; 8:48 a. m.]

[Vesting Order 17806]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Berne, Switzerland, and owned by persons whose names are unknown. F-63-60 (Berne).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as block or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock, in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in the attached Exhibit A, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause

to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse, Berne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order[1]
1. The National City Bank of New York, 55 Wall St., New York 5, N. Y.	Current account, as described by The National City Bank of New York in its report on Form OAP-700, bearing its serial No. 0094.	The sum if $16,405.70, which, according to license application No. NY 865039, dated May 4, 1950, filed by Brown Bros., Harriman & Co., on behalf of Mrs. Ingeburg Passaglia-Barth, is claimed by Union Investment Corp., Inc., a Panamanian corporation.
2. Brown Bros., Harriman & Co., 59 Wall St., New York 5, N. Y.	Credit Suisse, Berne, general ruling No. 6 account, as described by Brown Bros., Harriman & Co., in its report on Form OAP-700, bearing its serial No. 29.	The sum of $14,472.90, which, according to license application No. NY 865039, dated May 4, 1950, filed by Brown Bros., Harriman & Co., on behalf of Mrs. Ingeburg Passaglia-Barth, is claimed by Union Investment Corp., Inc., a Panamanian corporation.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in Column III or excluded under (a) of this f[illegible]ote.

[F. R. Doc. 51-5990; Filed, May 23, 1951; 8:51 a. m.]

[Vesting Order 17803]

SWISS BANK CORP.

In re: Accounts maintained in the name of Swiss Bank Corporation, or Societe de Banque Suisse, Lausanne, Switzerland, and owned by persons whose names are unknown. F-63-2748 (Lausanne).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Swiss Bank Corporation, or Societe de Banque Suisse, Lausanne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
Brown Bros. Harriman & Co., 59 Wall St., New York 5, N. Y.	(a) Societe de Banque Suisse, Lausanne, ordinary account, blocked account, and (b) Societe de Banque Suisse, Lausanne, general ruling No. 6 account; as described by Brown Bros. Harriman & Co., in its report on Form OAP-700, bearing its Serial No. 74; (c) Societe de Banque Suisse, Lausanne, blocked account, as described by Brown Bros. Harriman & Co., in its report on Form OAP-700, bearing its Serial No. 75.

[F. R. Doc. 51-6039; Filed, May 24, 1951; 8:48 a. m.]

[Vesting Order 17807]

CREDIT COMMERCIAL DE FRANCE, S. A.

In re: Accounts maintained in the name of Credit Commercial de France, S. A., Paris, France, and owned by persons whose names are unknown. F-27-3781.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Ex-

hibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Commercial de France, S. A., Paris, France]

Column I Name and address of institution which maintains account	Column II Designation of account
1. The Chase National Bank of the City of New York, 18 Pine St., New York, N. Y.	(a) Old Items, Credit Commercial de France, S. A., Paris, France, and (b) Unclaimed Deposit, Credit Commercial de France, S. A., Paris, France; as described by The Chase National Bank of the City of New York in its report on Form OAP-700, bearing its serial No. 61.
2. Dominick & Dominick, 14 Wall St., New York 5, N. Y.	(a) Credit Commercial de France, Paris, as described by Dominick & Dominick in its report on Form OAP-700, bearing its serial No. 13, (b) Credit Commercial de France, Paris, and (c) Frs. 5,150 Algoma Central & Hudson Bay Ry. trust certificate; as described by Dominick & Dominick in its report on Form OAP-700, bearing its serial No. 14.

[F. R. Doc. 51-5991; Filed, May 23, 1951; 8:51 a. m.]

[Return Order 960]

BERTHOLD WEISBECKER ET AL.

Having considered the claims set forth below and having issued a Determination allowing the claims, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the Determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Berthold Weisbecker, New York, N. Y., Claim No. 42212; Mrs. Rose Stern, Brooklyn, N. Y., Claim No. 42213; Bernard Kahn, New York, N. Y., Claim No. 42530; Sydney Kahn, Queens, N. Y., Claim No. 42531; Lena Klebe, Strasbourg, France, Claim No. 41442; Hedwig Gottlieb, Brooklyn, N. Y., Claim No. 42204; Mrs. Toni Sauerbach, New York, N. Y., Claim No. 42206; Ernest Nussbaum, New York, N. Y., Claims Nos. 11338 and 42205; Max Nussbaum, Rio de Janeiro, Brazil, Claim No. 11340; Martin W. Miller, New York, N. Y., Claim No. 42560; Ida Jacob, Brooklyn, N. Y., Claim No. 42207; Mrs. Julia N. Schiff, Los Angeles, Calif., Claim No. 41441; Bruno Nussbaum, Brooklyn, N. Y., Claims Nos. 42210 and 11339; Clara Hecht, Brooklyn, N. Y., Claim No. 42208; Berthold Gottlieb, Brooklyn, N. Y., Claim No. 42209; Ella Strauss, New York, N. Y., Claim No. 42211; Mrs. Henny Laufer, Brooklyn, N. Y., Claim No. 42532.

A 1/28th share of the all right, title, interest; and claim of any kind or character whatsoever of Fanny Loewenstein in and to the estate of Ernest Spitz, deceased, to each of the following: Berthold Weisbecker, Toni Sauerbach, Ida Jacob, Clara Hecht, Ella Strauss, Rose Stern.

A 2/84th share of the all right, title, interest, and claim of any kind or character whatsoever of Fanny Loewenstein in and to the estate of Ernest Spitz, deceased, to Martin W. Miller.

A 1/21st share of the all right, title interest and claim of any kind or character whatsoever of Fanny Loewenstein in and to the Estate of Ernest Spitz, deceased, to each of the following: Hedwig Gottlieb, Ernest Nussbaum, Max Nussbaum, Bruno Nussbaum, Berthold Gottlieb, Henny Laufer.

A 1/7th share of the all right, title, interest and claim of any kind or character whatsoever of Fanny Loewenstein in and to the estate of Ernest Spitz, deceased, to each of the following: Lena Klebe, Julia N. Schiff.

A 1/14th share of the all right, title, interest and claim of any kind or character whatsoever of Fanny Loewenstein in and to the estate of Ernest Spitz, deceased, to each of the following: Bernard Kahn, Sydney Kahn.

A 1/4th share of the all right, title, interest and claim of any kind or character whatsoever of Emma Grunebaum in and to the estate of Ernest Spitz, deceased, to each of the following: Ella Strauss, Berthold Weisbecker.

A 2/12ths share of the all right, title, interest, and claim of any kind or character whatsoever of Emma Grunebaum in and to the estate of Ernest Spitz, deceased, to Martin W. Miller.

A 1/3d share of the all right, title, interest, and claim of any kind or character whatsoever of Fritz Nussbaum, Hugo Nussbaum, Ria Nussbaum, and Bela Nussbaum, and each of them, in and to the estate of Ernest Spitz, deceased, to each of the following: Ernest Nussbaum, Max Nussbaum, Bruno Nussbaum.

$2,245.50 in the Treasury of the United States to each of the following: Lena Klebe, Julia N. Schiff.

$561.375 in the Treasury of the United States to each of the following: Berthold Weisbecker, Toni Sauerbach, Ida Jacob, Clara Hecht, Ella Strauss, Rose Stern.

$374.25 in the Treasury of the United States to Martin W. Miller.

$1,122.75 in the Treasury of the United States to each of the following: Bernard Kahn, Sydney Kahn.

$748.50 in the Treasury of the United States to each of the following: Hedwig Gottlieb, Ernest Nussbaum, Max Nussbaum, Bruno Nussbaum, Berthold Gottlieb, Henny Laufer.

$2,994.00 in the Treasury of the United States to each of the following: Ernest Nussbaum, Max Nussbaum, Bruno Nussbaum.

$785.925 in the Treasury of the United States to each of the following: Ella Strauss, Berthold Weisbecker.

$523.95 in the Treasury of the United States to Martin W. Miller.

Notice of intention to return published: April 4, 1951 (16 F. R. 2952).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-6046; Filed, May 24, 1951; 8:49 a. m.]

[Vesting Order 17809]

A. B. SVENSKA HANDELSBANKEN

In re: Accounts maintained in the name of A. B. Svenska Handelsbanken, Stockholm, Sweden, and owned by persons whose names are unknown. F-62-501 (Stockholm).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights, and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and set-offs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on May 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of A. B. Svenska Handelsbanken, Stockholm, Sweden]

Column I Name and address of institution which maintains account	Column II Designation of account
Bank of the Manhattan Co., 40 Wall St., New York, N. Y.	A. B. Svenska Handelsbanken special depot "U" general ruling #6 a/c, as described by the Bank of the Manhattan Co. in its report on Form OAP-700, bearing its Serial No. 092.

[F. R. Doc. 51-6041; Filed, May 24, 1951; 8:48 a. m.]

[Return Order 965]

LOUIS MARIE ANTOINE GARCIN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Louis Marie Antoine Garcin, Paris, France; Claim No. 41908; February 17, 1951 (16 F. R. 1702); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,244,615. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-6048; Filed, May 24, 1951; 8:50 a. m.]

[Return Order 961]

SOCIETE AME. "L'ATOMIC"

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe Ame. "L'Atomic", Paris, France; Claim No. 26797; April 3, 1951 (16 F. R. 2903); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to United States Patent Application Serial No. 147,610 (now United States Letters Patent No. 2,361,758). All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme L'Atomic by vitue of an agreement dated April 23, 1941 (including all modifications thereof and amendments thereto, if any) by and between Societe Anonyme L'Atomic and Imperial Chemical Industries, Ltd., which relates, among other things, to patent number 2,276,761, issued March 17, 1942, inventor W. Carey, for Apparatus for the Classification of Material, to the extent owned by Societe Anopyme L'Atomic immediately prior to the vesting thereof by Vesting Order No. 1633 (8 F. R. 12361, September 7, 1943), as amended (9 F. R. 8269, July 21, 1944). This return shall not be deemed to include the rights of any licensees under the above patent application, patent or contract.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-6047; Filed, May 24, 1951; 8:50 a. m.]

[Return Order 966]

PAUL ROSENBAUM

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Paul Rosenbaum, Vienna IV, Austria; Claim No. 39915; March 6, 1951 (16 F. R. 2117); $2,481.56 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Paul Rosenbaum in and to the trust estate created under Article 11 of the Last Will and Testament of Emil Fuchs, deceased; Guaranty Trust Company of New York, Trustee.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-6049; Filed, May 24, 1951; 8:50 a. m.]